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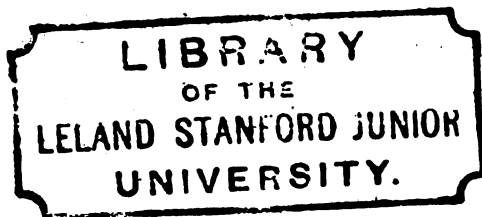
**VOL. IV.—JULY 1829 TO JANUARY.**

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# THE REGISTER OF PENNSYLVANIA.

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## LAND TITLES.

(From the Journal of the Senate of Penns<sup>y</sup>a.)

Thursday, March 21, 1822.

Mr. Conyngham, from the committee to whom was referred on the 6th instant a resolution relative to the improvement rights of actual settlers, and also to the act relative to the limitation of actions, made report, which was read as follows, to wit:

The land titles of Pennsylvania are very intricate, and it is only by an inspection of the laws relating to property, and decisions of the courts arising from conflicting claims and the construction of the laws relating thereto, that a knowledge of them can be derived. The proprietor of Pennsylvania was ever desirous of promoting emigration and the cultivation of the soil; and the legislature of Pennsylvania, actuated by a fair and liberal policy, passed such acts as would tend to promote the improvement of the country, by encouraging its settlement. The history of land titles is to be obtained from an examination of the laws and records, and vague and unsatisfactory is the information thus afforded. It is a labyrinth, the intricacies of which the decisions of our courts unfortunately have not diminished; and so early as 1755, did governor Morris declare in his message, that "the management of the land office is pretty much a mystery."

That the proprietor was desirous of aiding the settlement of the country, will be evinced by an examination of the warrant system. In 1720, warrants were thus drawn: "Whereas in pursuance of an agreement, made by us five years ago, to settle and improve certain lands, you are required to survey," &c. No trace of the article of agreement can be found, but sufficient evidence remains to shew the desire of the proprietor to procure the settlement of the state. It appears from a careful examination of the records, that at a very early period, persons established themselves on land, unauthorised by the proprietors, and made improvements thereon, and the proprietor and his agents not disturbing them in their possession, indicate an implied consent. Can a better or a more just reason be assigned for the origin of these improvement rights, than the acquiescence of the proprietor? Certainly not: for if it was contrary to the wish of the proprietor, why did he encourage the practice?

That the proprietaries of Pennsylvania gave a preference to settlement and improvement, is easily shown by the establishment of the application system, which benefitted the settler; inasmuch as on an application, no money was to be paid—whereas on a warrant, the practice was different, and on the land office being opened on the 7th of June, 1765, for the east side of the Susquehanna, on the new plan, it was resolved, that the secretary give warrants to such persons as have built on and resided on the lands they apply for, and have a just claim to an improvement bringing a certificate of a neighboring magistrate or other satisfactory proof of the nature of the improvement and first settling thereof, when the interest and quit rent is to commence.

August 10th, 1765, in the minute book, there is this remarkable entry: "Whereas a piece of land applied for joins a settled habitation, the secretary is directed to grant a warrant, with interest and quit rent, from time

of settlement of the possession." An improvement right is clearly defined to be not only the land under fence, but the contiguous woodland; an improvement right appears to have been well understood at this period by the land office department.

Let us take this occasion to instance, in 1755, July 10th, when the lottery principle was introduced, declaring that such persons who are settled on the lands, without warrants for the same, may have liberty to lay their rights on the land where they are so seated. We will now refer to several cases on record, to shew the opinions of the court, as to improvements and settler's rights.

Patrick Campbell, } In this case the  
vs. } court said, "Did the  
Benjamin Kidd, } dispute concern im-  
proved lands only, the plaintiff should recover possession. The encouragement given by the proprietors to improvements, have clearly evinced their assent to this usage, and is such a usage as amounts to an implied contract on the part of the proprietors, that they will grant the lands to such persons on the usual and common terms. It is certain, however, that a right to improved lands will not carry an indefinite claim to adjacent unimproved lands. Though the granting lands to improvers be highly agreeable to the principles of reason and natural justice, yet in strict law, such improved lands until an office right be obtained, must be considered as vacant."

Chief Justice M'Kean has declared, that the proprietors gave encouragement to improvements, and that they did grant lands to such persons who made improvements on the usual and common terms. By an examination of the minute books of the board of property, about the date of 1765, a person holding an improvement and residing thereon was entitled to the woodland adjoining, provided it did not exceed four hundred acres, and was vacant at the time the improvement was made.

The committee cannot concur with the Chief Justice, that until an office right be obtained such improved lands must be considered vacant.

It cannot be considered vacant, in the opinion of your committee; because the moment a settlement or residence is made, the vacancy ceases to exist; for the owner of such improvements is entitled to a warrant for four hundred acres adjoining and including such improvement as was vacant at the time such improvement was made, and is also compelled to pay tax not only for the same within fence, but the contiguous woodland.

27th November, 1779. The estates of the proprietaries were vested in Pennsylvania—early adventurers established themselves between the mouth of Lycoming and Pine Creek—their rules and regulations, relative to the right of possession and boundaries, were afterwards recognized by law; and their decisions were received in evidence and confirmed by judgments of the courts. The acts of December, 1784, originated from the fair play settlement.

April 8th, 1785, section nine examine:

"All surveys to be returned on any warrant issued after the passing of this act, were to be made by actually going on the ground and measuring the land, and marking the lines to be returned on such warrants, after the

warrant authorizing such survey should have come to the hands of the deputy surveyor to whom it was directed."

The Supreme Court declared, in the case of *Wright's lessee, vs. Wells*—"But supposing it extended to all surveys on warrants issued after the passing of this act, though this case may fall within the words, it is evident that it is not within the spirit and intention of the act;" and again "suppose a surveyor receives a warrant and the land to be surveyed on it is bounded on three sides by the lines of other tracts, which he has surveyed before, it is not contended that he is obliged to run over these lines again; because it would be useless trouble, these lines having been run and marked by legal authority before—and yet he does not comply with the words of the act, which requires him to run the lines and mark them; but only with the spirit."

Brackenridge then says, "If the survey is not made after the warrant came to the hands of the deputy surveyor, it is absolutely void; for that part of the section is positive and directory."

The decision in the case of *Wood vs. Ingersoll*, is still more objectionable: "Although the directing part of the ninth section is not complied with, yet the survey is sufficient—and it is of consequence, that there should be no misunderstanding on this point; or the titles of a vast number of persons, who have taken up land from the commonwealth and paid for them, would be shaken by a contrary opinion."

The ninth section of the act of April 8th, 1785.

This section has not been construed by the words of the section, nor by its meaning, spirit and intention.

We agree with Judge Brackenridge, that if the survey is not made after the warrant comes into the hands of the deputy surveyor, such survey must be void, because it was not made according to positive law; and we can only suppose, that the majority of the Supreme Court were influenced by a desire to protect the landholder to the injury and prejudice of the settler. For in the following opinion, in the case of *Hubley vs. Chew*, the court expressly declare: "We cannot construe a law differently from the plain clear words of it, under any ideas of convenience or equity." Hence, then, it appears, that the court in the former opinion, were actuated by motives unworthy of their high station; and that they did construe the ninth section not from the plain, clear words of it, but from their ideas of convenience or equity.

Suppose a person settled and made an improvement on a piece of land containing about three hundred acres, the limits of which were surveys of adjoining tracts, well known and marked by the deputy surveyor, by actually going on the ground and marking them in pursuance of a warrant dated in 1775.

The tract on which the settler resided was claimed by a person who held a patent from the state, which patent issued in pursuance of a warrant or survey of the date of 1787; but the survey then returned by the deputy surveyor, was not made on the ground and marking the line of the tract after the warrant came into the hands of the deputy surveyor, which duties are absolutely required to be done and performed by the ninth section of the act of April 8th, 1787, the deputy surveyor making his return from the adjoining surveys, the drafts of which were in his possession.

An ejectment is brought against the person in possession, and he is, although he was settled on vacant land, evicted from such possession, by the construction of the law by the Supreme Court. Although the surveyor who returned the survey, as made on the ground and marked, violated the oath of his office and the title was fraudulently obtained.

The unfortunate man who settled and improved the land under the faith and protection of the law of the commonwealth, who violated no law, who committed no wrong; who on the contrary, lent his aid to improve the state, is thus compelled, by a decision of

the Supreme Court, to abandon the fruits of his industry or improvement to which he was attached because it was affected by his own labor, contrary to every principle of justice, equity and sound policy.

In the opinion of your committee, any title derived from an office grant, which was obtained without an actual survey on the ground, by the deputy surveyor, or a person legally authorized to make such survey, and marked trees corresponding to the date of the survey, is nothing more than a blank sheet of paper; for such title is contrary to law and can give no title to the holder for such land, so claimed, most in every view in which it can be taken, be considered as vacant.

If the legislature were to connive at a practice like this, your surveys hereafter would be made in the closet, and would lead to such consequences which would be fatal to the settler, disreputable to the legislature, and injurious to the character of your state. If we pass laws, we must support them; and if the Judges will not construe the laws agreeably to their words and meaning, the legislature must remind them that they are not omnipotent.

*Hubley's lessee vs. Chew*:—The Court, "We disclaim all legislative powers; but it will not be denied, that we possess the right of putting such construction on the acts of the legislature as appears to us best to accord with their intention, either express or implied.—We cannot construe a law differently from the plain, clear words of it, under any ideas of convenience or equity."—(How can this opinion be reconciled with that given in the case of *Wright's lessee vs. Wells*?)—The court have declared, in several cases, that the default of the deputy surveyor, in not returning the survey to the proper office, shall not be imputed to the person in whose favor the survey has been made—the latter depends on the actual lines on the ground, which, in fact, constitute a survey—the field notes, drafts, or return are merely evidences of it.

In the case of *Quinn's lessee vs. Nichols and others*, the Court thus says: "This act of March 26th, 1785, is an excellent safeguard to landed possessions, and highly beneficial to the community; and should be construed liberally"—and by their very liberal construction of this law, the settler has too frequently suffered.

What shall be deemed a settlement is stated in the act of December, 1786. By a settlement, shall be understood, an actual personal resident settlement, with a manifest intention of making it a place of abode, and the means of supporting a family, and continued from time to time, unless interrupted by the enemy, or by going into the military service of the country, during the war—but that no such settler shall or may have the pre-emption of any tract exceeding four hundred acres, by reason of any such settlement.

The evident intention and meaning of the legislature, as it relates to possession or improvement, is clearly shewn and evinced by the expression contained in this act, by the words themselves.

The expression from time to time is clearly in favour of the settler: and the legislature have thus declared that they consider that settlers have a right to any land they may think proper to claim by virtue of their settlement, provided it does not exceed four hundred acres; that is, with the improvement and woodland adjoining. *Cluggage and others against the lessee of Thomas Duncan*. Oct. 3d, 1814. It was given in evidence, that Lawrence Peterson improved in 1763, a tract of land, cleared and fenced in between three and five acres, on which he built a cabin and raised corn; that Jacob Hare made an improvement adjoining Lawrence; and some time after, when Armstrong was in that county, he agreed to take out locations for each of the tracts and to have them surveyed for them—at this time, Hare had raised corn and cleared and fenced two or three acres. Hare and Peterson built their cabins for the purpose of holding the land, but were driven off by the Indians, about a year after.

The defendants also offered a variety of evidence, to shew that they had been in the actual possession of a part of the land in question for more than twenty-one years, previous to the commencement of the suit.

Lessee of Thomas Duncan claimed under an application of November 4th, 1766, No. 1812—by Lawrence Peterson, 4th January 1767; a survey was made under this location, by Tea, the deputy Surveyor, but it was never returned. It was proved that Armstrong had paid the surveying fees—the land was sold under a judgment as Armstrong's and purchased in by T. Duncan.

4th of August, 1801. The board of property granted an order to re-survey for Thomas Duncan. A survey was then made and duly returned. Judge Walker charged as follows: "The facts of superintending a survey and paying the fees of surveying have always been considered *prima facie* evidence of ownership."

Again—"That as to all the land in possession of Francis Cluggage, for twenty-one years previous to this suit, the plaintiff was barred by the act of limitation—all the lands actually within the fence of Francis Cluggage or the defendants, will be protected by twenty-one years of adverse continued possession, prior to the institution of this suit. We are of opinion that the sale does vest the title in Duncan."

Chief Justice Tilghman, in his opinion thus says—"I agree on this point with the court of Common Pleas.—"That as to all the land which was in the actual possession of Francis Cluggage for twenty-one years previously to the institution of this suit, the plaintiff was barred by the statute of limitation. Cluggage had no survey—therefore there was nothing to which his possession attached but his inclosure"—the judgment was affirmed.

Your Committee cannot suffer this case to pass unnoticed and without expressing their disapprobation of the opinion of the Court of Common Pleas, as well as that of the Supreme Court. The opinion being contrary to reason, policy, law, and the usage of the land office.—Your Committee are decidedly of opinion, that the improvement of Francis Cluggage gave him a legal right to all the land included in the re-survey of Thomas Duncan; because, by virtue of an improvement right, the owner of such right could hold four hundred acres by virtue of a warrant covering his improvement and the adjacent woodland, provided that such land was vacant at the time such improvement was made: and if Francis Cluggage was entitled to the improvement under fence, he was also entitled to all the rights, privileges and usages which such improvement right could confer; and by virtue of such right, Francis Cluggage could, at any time, take out a warrant for the whole of the land, included in the survey and could hold such land agreeably not only to the several land laws, but to the custom and usages of the land office.

We are decidedly of opinion, that the possession attached not only to his inclosure, but to the Woodland adjoining, which Cluggage claimed by his improvement.

The next case to which we would direct your attention is, White and others against Kyle's lessee—June 10th, 1815. It was given in evidence that Kyle made an improvement on the lands previous to the purchase from the Indians, but it was declared by the court, that it would not give any equity, or vest any title. Question—whether James Kyle's taking a warrant on the 3d of June, 1762, adjoining lands of William White, without calling for any improvement, was not a relinquishment of an equity founded on an improvement on that land?

Answer by the court—James Kyle's taking a warrant without calling for an improvement, is not conclusive evidence that he had abandoned all claim under his improvement.

Question.—Whether the sale by Henry Newkirk to Kyle in April 1754, of the lands not then purchased from the Indians, can be of any avail in law or equity. By the court. "The purchase of Newkirk, is of no avail;

and if Kyle has no title by his own improvement, he can derive none from his purchase of Newkirk.

Question to the court.—Whether two verdicts and judgment, in favour of the defendants or those under whom they claim, and seventeen years acquiescence by the plaintiff, are not a bar to this ejectment. "Nothing less than twenty-one years adverse possession is a bar by our act of limitation." Kyle's improvement was made many years prior to White's survey; and because Kyle or George Gabriel, under whose improvement Kyle claimed, did not apply for a warrant in pursuance of a promise made by Secretary Peters, to Gabriel; and as White had obtained a warrant previously to Kyle, and had the lands surveyed in pursuance of that warrant, yet the court decided that the judgment of the court of common pleas be reversed.

See Binney's Reports, volume 1st, page 248. January 2d 1808, Kyle and White claim under improvements—neither of them can derive title from the date of their improvements, because they were made against law on lands ——— not purchased of the Indians.

White ought to have the preference; because he has the oldest warrant and survey." To put this case in the proper point of view, we offer the following extract from Brackenridge—"That the accommodation of settlers and the improvement of the country, would seem to have been the early policy of the proprietaries, will appear in the usage of granting lands in small quantities.

White had two warrants for one hundred acres each, and there would be good reason to indulge him in a survey of three hundred acres, which then or since had become usual; but here was five hundred and sixty two and a half acres surveyed—that is, two hundred and sixty two and a half beyond what the warrant called for. The proprietary agent in 1765, and the proprietary board of property in 1768, restricted White in the quantity which would leave two hundred and twenty-five acres to Kyle. Kyle's claim was certainly the ground of this restriction—a survey of three hundred on each one hundred acres warrant, would be going on the ground of two improvements, which was the case here."

White and others against Kyle's lessee.

Remarks.—The Judges of the Supreme Court, altho' they admit the encouragement given to actual settlers, yet the court are unwilling to give a preference to an improvement when put in competition with an improvement covered by a warrant or survey; although that improvement was the oldest, yet unprotected by a warrant.

Kyle and White claimed by improvements and by promises of warrants, from Secretary Peters. The first promise was made to Kyle; consequently Kyle was entitled to at least three hundred acres including his settlement by virtue of such promise.

White by his two warrants could only hold agreeably to the usages of the land office, not more than three hundred acres; as each warrant called for only one hundred acres; and we insert the opinion of judge Brackenridge, in which we heartily concur, because that opinion was founded on the practice of the land office, and a contrary decision would result in the most mischievous consequences, as tending to destroy and render insecure the rights of the settler, and to give to the warrant holder a larger amount of land not called for by the warrant and to which he would not be legally entitled.

M'Coy vs. The Trustees of Dickinson College, 1818, June.

The Trustees of Dickinson College, the plaintiffs, claimed under an application, survey and return of survey, but no patent. When the plaintiffs had finished their evidence, the defendant offered to shew possession in himself adverse to the plaintiffs, from the year 1787 to the commencement of the suit. This evidence was rejected by the court. Whether the evidence was legal was now the question.

Opinion of Tilghman.

In the case before us, the survey was returned the 28th of August, 1772; and from that time the estate was

subject to the act of limitation. I am very clear therefore that the defendant's evidence ought to have been received. At the same time, I desire to be distinctly understood that I give no opinion, nor have formed any opinion, beyond the point immediately decided. The defendant's evidence ought to be received; but what will be the consequence of possession taken without title as to the extent of possession, or whether such possession will in law be extended beyond the actual inclosures of the occupant, is a question not now before us. The consequence of laying down general principle on the act of limitation, are so important that I hold it my duty to be extremely cautious, of intimating opinions on points out of the record. I am of opinion the judgment should be reversed.

The above opinion has been introduced here for the purpose of shewing the extreme caution of the supreme court in giving an opinion as to the nature of an improvement right.

Hall and others *vs.* Powell, 1818, October, 5th.

Duncan.—As it respects the operations of the act of limitation every decision, every construction on the law, is most important, for it extends to every part of the state, and embraces the rights and possessions of every man.

When a man claiming by improvement, enters on the land of another, and has not his pretensions marked out by lines or a survey, he is only protected so far as is covered by his buildings and improvements, if there is neither survey made nor lines nor boundaries of such improvement. His possession does not extend beyond his actual occupancy by enclosure and exclusive possession—it is difficult to conceive how the protection by limitation can extend further and protect possession which only exists in the imagination and mind of the improver, and has assumed no visible notorious, corporeal, tangible substance.

The court wish it to be understood, as not giving any opinion how far one entering on the land of another, without official right, but merely claiming by right of possession, is protected by limitation beyond his actual inclosures, though he has lines run or a survey made and his boundaries ascertained. Judgement must be affirmed.

Branyon *vs.* Flickenger, 1818, October 10th.

Tilghman—Extracted from his opinion in this case to show the definition of a settlement:

"In order to constitute a settlement there must be a residence on the land with the intention of making it a place of abode and the means of supporting a family. The Legislature has manifested a great anxiety to have the vacant lands settled; and for that purpose has given not only a preference but an exclusive preference to such persons as should reside on the land and with their families. There can be no commencement of a legal title, without some act on the land with a view to residence and the support of a family; and the first stroke of the axe or the furrow of the plough, with these views is the commencement of a settlement, which if persevered in according to law, will end in a good title. This is the true construction of the law of 22d September, 1794."

We coincide in the opinion of the chief justice, and have introduced it here in order to show that he is aware of the desire of the Legislature to have the vacant lands of this Commonwealth settled, and that he has eloquently alluded to the rise and progress of a settlement—and we regret that he has so frequently departed from as correct a construction of the other land laws.

Porter *vs.* M'Iroy, October 5, 1818.

Judge Gibson,—Extract from his opinion.

"The taking a warrant for and having a survey made of a less quantity, than a settler is entitled to, but not returned, is not conclusive evidence of an intention to abandon the part not included. It is immaterial to the state whether a settler obtains his quantity by more than

one warrant, or not, provided he gets in the whole on more than he is entitled to, and punctually pays for what he gets.

The court by this opinion have declared that a settler is entitled to any land he may think proper, provided it does not exceed four hundred acres by his improvement.

Miller,  
vs.  
John Shaw, } Opinion of Judge Duncan, June 1821,  
at Sunbury.

This case, and several others depending on the act of limitation, have laid over to give the court an opportunity of conferring and giving a construction to the act out of which, so many important questions have grown. I have been consulted on the title, and will avoid giving any opinion on the merits of the conflicting claims, and confine myself to an abstract question of law, and consider how far this act protects one who entered on a tract of land duly surveyed, and has resided within the lines of the survey, more than twenty-one years, against the rightful owner. Had there been a difference of opinion between the judges who have just delivered their judgements; I would not consider myself at liberty to give an opinion that would turn the scale; but as they agree, & it is very desirable should be considered in a full court, I have yielded to the wishes of the Chief Justice and my brother Gibson, in expressing my sentiments.

While at the bar, I have looked forward to the time when this question would become one of great and serious importance; and had considered it with some care; and since with anxious attention. It has been attempted to involve it with the right of settlement. This right rests on a solid foundation, not now to be shaken; and is to be traced to a very early period of the province. Of the possession, what ever may have been the moving consideration with the proprietors, it is certain they gave a preference to settlers on their unappropriated lands. This usage grew into a right of preemption, recognized by them and their officers, and was sanctioned by many judicial decisions, prior to the revolution. This usage was well understood, and has since been supported by positive law; but neither the usage nor the law gave any sanction to any entry into the lands which had before been disposed of. The lands which were open to settlement, were vacant, unappropriated lands. After appropriations, neither the proprietors nor the state had power to sell and dispose of them again. Where there had been a previous disposition, the settler could gain no right of pre-emption. No one could give a pre-emption to that which had already been sold.—The man who has a legal survey, has not only acquired a right to the possession of all the lands within his survey, for it is a principle of the common law, that the possession and the right go together, the owner is never deemed out of possession until another has obtained an adverse possession, when the possession is vacant. Trespass, which is a possessory action, will be against a wrong done; it is the close of him who has the right, as the principle of the common law prevails in all the states of the Union, where the question has been agitated. In New York it has often been decided, that trespass will lie by the owner against the intruder into wild and uncultivated lands. 8 Johns, 265—9 Johns, 385—12 Johns, 182—15 Johns, 118, and in Massachusetts, proprietors of Kendrick *vs.* Croll, a survey was held to give the owner such possession as would support the action of trespass, tho' he may elect to be disseized, 1 Massachusetts 284, and bring his ejectment. Yet the act of entry does not amount to a disseizin. And in this state in Brown *vs.* Swift, 2d Sergeant and Rawle, 439, it was determined that the law cast the possession on the owner of a survey returned of all the land contained within it. Seizen and possession continue in the owner, until he is disseized. This is a doctrine of law, and familiar to those acquainted with its first rudiments. Possession and right are presumed together—the rightful owner, in the presumption of

law, is in the constant possession, until that possession is adverse or interrupted and exclusively possessed by another. A wrongful possession cannot be extended by construction. Constructive possession cannot be extended by construction—Constructive possession accompanies the right. It is a construction in terms, that a man by wrong, should have any right, and that this right by wrong, should be extended by construction. There cannot be two conflicting constructive possessions, one in the owner, the other in the trespasser: the right always draws to it the possession, and it there remains till seized by the wrong doer, whose possession is strictly possessionalis; who must necessarily be confined to what he has grasped, his real and actual possession; beyond that no length of time will protect him, because beyond that the owners possession never has been changed. It always, in contemplation of law, is continued in him—these are the dictates of common sense and common justice, and of common law; and if they need authorities to support them, authorities abound in the decisions of the courts of the several states and of the supreme court of the United States. In New York, 1 Johns 150—Johns 230—Johns 263—Johns 381—Johns 385—Johns 184—Johns 293;—in Connecticut, Day 498—Massachusetts 1st, Mass. 483—4 Mass. 416—in the first of which cases the court unanimously decided, that in order to divest the owner of that possession which the law cast upon him, there must be an actual occupation to the exclusion of the rightful owner; and that to extend the principle, relative to adverse possession, beyond the case of an actual resident, and consequently exclusive possession, would be of the most dangerous consequences and authorize trespass by law. In Maryland, Reynolds—see Hall's Journal, and in Donaldson vs. Beaty, 3d Harris and M'Henry, 625—where the law is distinctly laid down, that where a person claims only, without showing any title, he must shew an exclusive adverse possession, by enclosure, and his claims cannot extend beyond his inclosure. In Virginia, Clay vs. White, where the patent was held to be the symbol of possession, and any person entering into that possession must be a trespasser; for the patent ipso facto confers seizin, because, as was said by Judge Tucker, it is founded on an actual survey of the land; and Judge Haine gives a number of instances where livery of seizin is dispensed with, and actual, corporeal possession, on the ground that acts of equal notoriety ought to have an equal and similar effect; and observes that the reason hold strongly, in a new country, where proof of actual possession might be difficult, and where in some sense a corporal investiture has always been made by entry and survey. In S. Carolina, 2 Bay, 495, where it is said that adverse possession is never presumed to defeat a grant, it must be actually proved and shewn, to rebut a prior title, in the same manner and degree of precision, as the plaintiff must shew a clear title in him before he can recover. The same principle was enforced in the District Court of the United States, for this district, in Potts vs. Gilbert.

In this state, see Cluggage vs. the lessee of Duncan:—The opinion of the court below was, that the act was a bar, to all land included within fence and no more.—This court pronounced that opinion to be right, the Chief Justice, observing that Cluggage had no survey, and therefore there was nothing to which he could refer but his inclosure. And lastly, to the decision, of the supreme court of the United States, in Green vs. Lytle, 8 Cranch, 280, it was there held that seizin was either by *possessio pedis* or by construction of law. The constructive seizin, indeed is sufficient for all the purposes of action or legal intentment, and Mr. Justice Story, in giving the opinion of the court says, we are entirely satisfied, that a conveyance of wild land, gives a constructive conveyance in deed to the grantee, and attaches to him all the legal remedies of the estate; & going on to another question, put by the court below, observes, that the first patentee had the better legal title; and his seizin presently by virtue of that patent,

gave him the best right to all the land; *a fortiori*, he must have the best right to the land not included in the actual close of the second patentee; for by construction of law, he has the oldest seizin as well as the oldest patent—and in Barr vs. Graz, 4 Wheat 213, the clear and broad principle is established where an entry is made, without title, the disseizor is limited to the actual occupancy, and that a patent issued for vacant land, by operation of law, vests the constructive, actual possession of the whole, in the patentee, and consequently, so far as actual adverse occupation extended and the disseizor run and no further. It follows that an adverse possession is always negative, when the party claiming title has never, in course of law, been out of possession: Adams 47. That there must be a disseizen, and that strictly proven, for the statute never run against a man until he is actually outset.

If these are the doctrines of law, the right conferred by twenty one years possession, where the entry is without color of title, which every entry into lands duly surveyed is, must not only be adverse, but marked by different boundaries or actual occupancy—a real enclosure, definite and positive, notorious and exclusive. The question is free from all embarrassment; on the ground of right, by settlement with the possession. The misconception has arisen from confounding the right with the extent of possession. The inquiry is not on the right of the parties; the defence under the limitation act, supposes the absence of right in the party setting it up. One who has no settlement right, has nothing but a naked possession; for he who enters on the appropriated lands of another, enters without color of title, as much as if he had entered into an unoccupied house or uncultivated city lot. The law knows no difference—courts can make no distinction; the survey and lands of a man are held by the same tenure, secured by the same laws, situated on the Susquehanna as lots in the city of Philadelphia: the rights are the same whether the possession be on the Delaware or on the Allegheny.

Against this uniform train of decisions of our own courts the highest tribunals of justice in the several states, of the supreme court of the United States, there cannot be found one solitary decision—it would be a hard construction of a statute made for quiet possession, when the evidence of title might, from the lapse of time, be out of the power of the possessor, and to extend its protection beyond the actual possession, when the entry is without color of title. If this were not the law, a trespasser by entering and cutting down a few logs for a cabin would acquire the possession of many hundred acres; nay more by the bare commission of a trespass on a corner of several adjoining tracts of land, would give the possession of four hundred acres, his choice of the whole. We can easily understand what is meant by color of title—there may be, there too often are several office rights for the same tract of land—the holder of the younger enters this under color of title, and the difference is this: "*Where one enters under color of title, his possession is co extensive with his title; but where one enters without any color of title, his seizin is confined to his actual possession.*" Judges of high character have, I know, entertained contrary opinions, and have decided that no length of time will give a right to him who enters without color of title; but, on reflection, my judgment is satisfied, that a possession so taken and continued for twenty one years, by actual occupation and inclosure, will bar the entry of the rightful owner, and give a right in the possession, subject to the right of the state for the purchase money; but that such possession is not by construction, to be extended to other lands, part of the same survey, because the owner of the survey, in contemplation of the law, remains in the possession of every part that he has not actually been excluded from by the occupation of another. There is no solid reason, to support the position, that one entering without color of title, on a surveyed tract, in order to defend his possession, can resort to the metes and



bounds of the tract on which he has settled. See Judge Washington's opinion, *Potts' lessee vs. Gilbert*—his entry has no connection with the lines, the existence of which gave him notice, that the land was not vacant—the constructive possession by the lines of the survey, is where the party claims title in virtue of such line, and the title forms his right or color of title; but where one enters, disclaiming those lines, treating them as forming no evidence of title in any one and enters into the possession as if unsurveyed land, we cannot adopt them for the purpose of establishing his possession, while he disowns all claim under them. They are not his land marks, because he disowns them. These lines give him notice, that the land is not vacant; he enters with a full knowledge that he can acquire nothing by settlement right; he may fix his eyes on the lines of another; he may set his heart upon the whole tract; but nothing can make it his but purchase from the owner, or an actual occupation by enclosure for twenty-one years, of all circumscribed within the lines, for the owner in contemplation of law, and for every legal purpose, continues in the possession of every part not so occupied, or inclosed."

We have now clearly shown, that year after year and decision after decision, the supreme court have encroached on the rights of actual settlers, by assuming broader grounds; grounds not warranted by the custom and usages of the Land office, by the several acts of Assembly, relating thereto, or by the intention of the framers of these laws.

For Improvements, see the following Acts of Assembly, where they are recognized:

Act of 10th October, 1779, for raising £5,700,000. In the 11th section of this act, improvements are made taxable.

Act of 7th April, 1787, for emitting bills of credit.

Act of April 5th, 1782, act of March 12th, 1783—April 22, 1794, 22d Sept. 1794.

Old improvements have been sanctioned by courts of justice, page 173, Smith's edition of laws—second volume; see also, page 176, Smith's edition of laws—second volume.

*Miller vs. Shaw,*

**Remarks**—In the opinion of your Committee, a resident settler on any tract of land is in possession not only of the lands within fence but of the whole tract, and twenty-one years must protect such settler in such possession, if it be continued during that period without disturbance by the warrant holder; it being consistent with sound policy, common sense, common justice, and common law. How can that man be called a trespasser, who settles on a tract of land, of the survey of which he is ignorant? If that principle were correct, farewell to the settlement of your forests and the final improvement of the state.

It is a fact, well known, that a great portion of your wild land is held by dormant titles—titles that cannot be discovered by an inspection of the commissioners books, or at the Land office, because the clue to unravel the title is concealed.

Surely a settler on a tract of land held by a dormant title, cannot be considered in the light of a trespasser; because if the land is not claimed by the warrant holder—if the warrant holder does not comply with the several laws of the state and make his claim known, certain and secure—such land can only be considered in the view of your committee, as vacant, and the man who settled, improved and resided on such land, for twenty-one years undisturbed, must hold the whole tract in the bounds of the survey of such dormant title.

We are of opinion that a settler, who makes an improvement on a tract, ignorant by whom it is held under an office title, does go on the same with something more than a color of title. He can hold possession of the whole tract, by virtue of his improvement, and if his cleared fields, are marked by definite boundaries, we say with propriety, the wild land adjoining may be

equally known by marked boundaries, as definite, positive, notorious and exclusive.

We agree with the judge—"That where one enters under color of title, his possession is co-extensive with his title;" and we coincide in opinion, "that the owner of the survey remains in the possession of every part that he has not been actually excluded from by the occupation of another." But in our opinion that occupancy relates to the whole tract, and consequently the warrant holder was excluded from the whole tract of land or survey by such improvements, held in unobstructed possession for twenty-one years, being within his claim.

Your committee are of opinion, that not only what is included within fence by the occupant, but the whole tract, as surveyed, if held in undisturbed possession for twenty-one years, is barred by the statute of limitations, and the warrant holder is entirely excluded from every part of such tract, and the settler is entitled to the tract within the bounds of the survey. It evidently being the intention of the law, to secure the improver in his labours and possession held for that period.

The decision of the Supreme court has shaken all titles held by possession, and rendered insecure and uncertain what was formerly considered a good title by virtue of a quiet possession of a tract of land for twenty-one years. Its tendency is alarming and if the Supreme court are suffered to encroach upon the rights of the actual settlers, by decisions which cannot be supported by acts of Assembly nor by the usages of the Land office, the northern counties will still continue a wilderness and all emigration to that section of the country, will be entirely prevented by the injustice done to the actual settler. It now depends on the Legislature, to say whether the Supreme court is to receive their sanction and their countenance for the construction of a law inimical to the rights of the settler—rights secured to them by custom and usage, by established laws—and which ought to be the policy of the court to support, it being the policy of the state to protect, encourage and foster the actual settler.

For the definition of the term actual settler, we would refer to several acts of Assembly.

Sep. 16, 1785; the act of Assembly of this state contemplates as an actual settler, one who resides on the land and cultivates it.

Act of 30th Sep. 1786, a settlement is defined to be an actual personal resident settlement, with a manifest intention of making it a place of abode, and the means of supporting a family.

April 3d, 1792, alludes to similar settlements.

Sept. 22d, 1794, refers to personal residence and raising of grain.

The several acts of April 3d, 1804, January 27th, 1808, March 1st, 1811, all alluded to actual settlers.

An actual settler may, in the strict meaning of the term, divide his claim: that is, he may live on one part, cut his grain and grass off another part, and wood off the third part; yet the whole may be considered, in the opinion of the committee, as one improvement or settlement, provided the several parts be contiguous and do not exceed four hundred acres.

Your committee therefore recommend the adoption of the following resolutions:

**Resolved**, That the decisions or opinions of the Supreme Court, to their construction of the statute of limitations, and the occupancy or possession of the improver or settler, are contrary to the spirit, true intent and meaning of the acts of Assembly, and to the customs and usages of the Land office, and have a direct tendency to retard the settlement of the state, and are adverse to the rights of the settler.

**Resolved**, That the Committee be discharged, and the subject connected with this report be recommended to the special, serious and early consideration of the next Legislature.

## TRIAL OF WILLIAM PENN.

Notwithstanding a body of soldiers had taken possession of the meeting house in "Gracious street,"\* Aug. 15th, 1670, William Penn preached in the immediate vicinity as before. On this, he was apprehended, committed by the lord mayor, and tried for the same, along with William Mead† at the Old Bailey, on the first, third, fourth, and fifth of September following. On this occasion, the bench consisted of:

Samuel Starling, lord mayor.

John Howel, recorder.

Thomas Bludworth

William Peak

Richard Ford

Sir John Robinson

Joseph Shelden

Richard Brown

John Smith

James Edwards

} Aldermen.

} Sheriffs.

It is important here that the names of the jury should be also recorded, not only as a mark of respect to them, but also as an example to their fellow subjects, viz.

- |                    |                      |
|--------------------|----------------------|
| 1. Thomas Veer     | 7. William Plumstead |
| 2. Edward Bushel   | 8. Henry Heley       |
| 3. John Hammond    | 9. James Damask      |
| 4. Charles Wilson  | 10. Henry Michel     |
| 5. Gregory Walklet | 11. William Lever    |
| 6. John Brightman  | 12. John Bailly.     |

The indictment purported, "that William Penn and William Mead, the latter, late of London, linen draper, with divers persons to the jurors unknown, to the number of three hundred, did unlawfully assemble, and congregate themselves with force of arms, &c. to the disturbance of the peace of our lord the king; and that William Penn, by agreement between him and William Mead, did take upon himself to preach and speak, in contempt of the said lord the king, and of his law, to the great disturbance of his peace," &c.

Having pleaded 'not guilty,' the court adjourned until the afternoon, and the prisoners being again brought to the bar, were there detained during five hours, while house breakers, murderers, &c. were tried. On the 2d of September, the same ceremony took place as before, with only this difference, that on one of the officers pulling off the hats of the two prisoners, the lord mayor exclaimed: "Sirrah, who bid you put off their hats? put on their hats again!"

*Recorder to the Prisoners.* Do you know where you are? Do you know it is the king's court?

*Penn.* I know it to be a court, and I suppose it to be the king's court.

*Recorder.* Do you not know there is respect due to the court? And why do you not pull off your hat?

*Penn.* Because I do not believe that to be any respect. *Recorder.* Well, the court sets 40 marks a piece upon your heads, as a fine for your contempt of the court.

*Penn.* I desire it may be observed, that we came into the court with our hats off (that is, taken off) and if they have been put on since, it was by order of the bench; and, therefore, not we, but the bench should be fined.

After this, the jury were again sworn, on which sir J. Robinson, lieutenant of the Tower, objected against Edward Bushel, as he had not kissed the book, and therefore, would have him sworn again; "though, indeed, it was on purpose to have made use of his tenderness of conscience in avoiding reiterated oaths to have put him

by his being a juryman, apprehending him to be a person not fit to answer their arbitrary ends."

James Cook, the first witness being called, swore that he saw Mr. Penn speaking to the people in Grace church street, but *could not hear what he said*, on account of the noise. Richard Read deposed exactly in the same manner, and to the same effect; but added, that he "saw captain Mead speaking to lieut. Cook, yet what he said he could not tell." The third witness was equally incompetent to prove any thing against Mr. Penn; and as "for captain Mead," said he, "I did not see him there."

*Mr. Recorder Howel.* What say you, Mead, were you there?

*William Mead.* It is a maxim of our own law, *nemo tenetur accusare seipsum*; which, if it be not true Latin, I am sure it is true English, "that no man is bound to accuse himself;" and why dost thou offer to ensnare me with such a question? Doth not this show thy malice? Is this like unto a judge that ought to be counsel for the prisoner at the bar?

*Recorder.* Sir, hold thy tongue; I did not go about to ensnare you.

*Penn.* We confess ourselves to be so far from recanting, or declining to vindicate the assembling of ourselves to preach, pray, or worship the eternal, holy, just God! that we declare to all the world, that we do believe it to be our indispensable duty to meet incessantly upon so good an account; nor shall all the powers upon earth be able to divert us from reverencing and adoring our God who made us.

*Alderman Broun.* You are not here for worshipping God, but for breaking the law; you do yourselves great wrong in going on in that discourse.

*Penn.* I affirm I have broken no law, nor am I guilty of the indictment that is laid to my charge; and to the end the bench, the jury, and myself, with these that hear us, may have a more direct understanding, I desire you would let me know by what law it is you prosecute me, and upon what law you grounded my indictment?

*Recorder.* Upon the common law.

*Penn.* Where is that common law?

*Recorder.* You must not think that I am able to run up so many years, and eversomany adjudged cases, which we call common law, to answer your curiosity.

*Penn.* This answer, I am sure, is very short of my question; for, if it be common, it should not be so hard to produce.

*Recorder.* Sir, will you plead to your indictment?

*Penn.* Shall I plead to an indictment that hath no foundation in law? If it contain that law you say I have broken, why should you decline to produce that law, since it will be impossible for the jury to determine or agree to bring in their verdict, who have not the law produced by which they should measure the truth of this indictment, and the guilt, or contrary, of my fact?

*Recorder.* You are a saucy fellow; speak to the indictment. [At this time, several upon the bench urged hard upon the prisoner to bear him down.]

*Penn.* I say it is my place to speak to matter of law, I am arraigned a prisoner; my liberty, which is next to life itself, is now concerned; you are many mouths and ears against me, and if I must not be allowed to make the best of my case, it is hard: I say again, unless you show me, and the people, the law you ground your indictment upon, I shall take it for granted, your proceedings are merely arbitrary.

*Recorder.* The question is—Whether you are guilty of this indictment?

\* Grace church street.

† Mr. Meade had been originally a tradesman in London; but, during the civil wars, he, like many others, obtained a commission in the army, and was known by the appellation of Captain Mead. It is not at all improbable, that he took the same side as William Penn's father, and, indeed, his conduct on this occasion displays somewhat of the republican intrepidity of those days.

\* See a scarce and valuable tract, printed for William Butler, 1682, and entitled, "The people's ancient and just liberties asserted, in the trial of William Penn and William Mead, at the sessions held at the old Bailey, &c. against the most arbitrary procedure of that court." "Wo unto them that decree unrighteous decrees, and write grievousness, which they had prescribed to turn away the needy from judgment, and take away," &c. Isai. x. 1, 2.

**Penn.** The question is not whether I am guilty of this indictment, but whether this indictment be legal?—It is too general and imperfect an answer, to say it is the common law, unless we knew both where and what it is; for where there is no law, there is no transgression; and that law which is not in being, is so far from being common, that it is no law at all?

**Recorder.** You are an impertinent fellow; will you teach the court what law is? It is *Lex non scripta*, that which many have studied thirty or forty years to know, and would you have me to tell you in a moment?

**Penn.** Certainly, if the common law be so hard to be understood, it is far from being common; but if the lord Coke, in his Institutes, be of any consideration, he tells us that common law is common right, and that common right is the great charter of privileges confirmed, 9 Henry 3, 29, 25. Edward I, 1 and 2; Edward III. 8. Coke Instit. 2 p. 56. I design no affront to the court, but to be heard in my just plea, and I must plainly tell you, that if you will deny me *Oyer* of the law, which you say I have broken, you do at once deny me an acknowledged right, and evidence to the whole world, your resolution to sacrifice the privileges of Englishmen, to your sinister and arbitrary designs.

**Recorder.** Take him away: my lord, if you take not some course with this pestilent fellow to stop his mouth, we shall not be able to do any thing to-night.

**Lord Mayor.** Take him away, take him away, turn him into the Baile Dock.

**Penn.** These are but so many vain exclamations: Is this justice or true judgment? Must I, therefore, be taken away, because I plead for the fundamental laws of England? However, this I leave upon your consciences who are of the jury (and my sole judges) that if these ancient fundamental laws, which relate to liberty and property, and are not limited to particular persuasions in religion, must not be indispensably maintained and observed, who can say he hath a right to the coat upon his back?

**Recorder.** Be silent there.

**Penn.** I am not to be silent in a case wherein I am so much concerned, and not only myself, but many thousand families besides.

They now dragged him into the Baile Dock; but William Mead, being still left in court, spoke as follows: "You men of the jury, here I do now stand to answer to an indictment against me, which is a bundle of stuff, full of lies and falsehoods; for therein am I accused, that I met *vi et armi, illicite et tumultuose*. Time was when I had freedom to use a carnal weapon, and I thought I feared no man; but now I fear the living God, and dare not make use thereof, nor hurt any man. You men of the jury who are my judges, if the record will not tell you what makes a riot, a rout, or an unlawful assembly, Coke, he that once they called the lord Coke, tells us, that a riot is when three or more are met together to beat a man, or to enter forcibly into another man's land, to cut down his grass, his wood, or break down his pales."

**Recorder.** I thank you, sir, that you will tell me what the law is.—[Scornfully pulling off his hat.]

**Mead.** Thou mayest put on thy hat, I have never a fee for thee now.

**Alderman Brown.** He talks at random; one while some other religion; and now a quaker, and next a papist.

**Mead.** Turpe est doctori cum culpa redarguit ad ipsum. [It is shameful for a man who pretends to instruct, when he is confuted by his own accusation.]

**Lord Mayor.** You deserve to have your tongue cut out.

**Recorder.** If you discourse in this manner, I shall take occasion against you.

Mr. Mead having been now also thrust into the Baile Dock, the following charge was given to the jury, in the absence of the prisoners:

**Recorder.** You have heard what the indictment is. It is for preaching to the people, and drawing a tumultu-

ous company after them; and Mr. Penn was speaking—If they should not be disturbed, you see they will go on; there are three or four witnesses that have proved this, that he did preach there, that Mr. Mead did allow of it; after this, you have heard by substantial witnesses what is said against them. Now we are upon the matter of fact, which you are to keep to and observe, what has been fully sworn, at your peril.

**Penn.** [With a loud voice, from the Baile Dock] I appeal to the jury, who are my judges, and this great assembly, whether the proceedings of the court are not most arbitrary, and void of all law, in offering to give the jury their charge in the absence of the prisoners. I say it is directly opposite to, and destructive of, the undoubted right of every English prisoner, as Coke, in the 2d Inst. 29, on the chap. of Magna Charter speaks.

**Recorder.** Why ye are present; you do hear, do you not?

**Penn.** No thanks to the court that commanded me into the Baile Dock; and you of the jury take notice, that I have not been heard; neither can you legally depart the court before I have been fully heard, having at least ten or twelve material points to offer, in order to invalidate their appointment.

**Recorder.** Pull the fellow down; pull him down.

**Mead.** Are these proceedings according to the rights and privileges of Englishmen, that we should not be heard?

**Recorder.** Take them away into the hole.

The jury were now desired to go up stairs, in order to agree upon a verdict; and the prisoners remained in the "stinking hole." After an hour and a half's time, eight came down agreed, but four remained above, until sent for. The bench used many threats to the four that dissented; and the recorder, addressing himself to Mr. Bushel, said: "Sir, you are the cause of this disturbance, and manifestly show yourself an abettor of faction. I shall set a mark upon you, sir."

**Alderman Sir J. Robinson,** lieutenant of the tower. Mr. Bushel, I have known you near this fourteen years; you have thrust yourself upon this jury, because you think there is some service for you; I tell you, that you deserve to be indicted more than any man that hath been brought to the bar this day.

**Mr. Bushel.** No, sir John, there were three score before me; and I would willingly have got off, but could not.

**Alderman Bludworth.** Mr. Bushel, we know what you are.

**Lord Mayor.** Sirrah, you are an impudent fellow; I will put a mark upon you!

The jury being then sent back to consider their verdict, remained for some time; and, on their return, the clerk having asked in the usual manner: "Is William Penn guilty of the matter wherein he stands indicted, or not guilty?" the foreman replied, "Guilty of speaking in Gracious street."

**Court.** Is that all?

**Foreman.** That is all I have in commission.

**Recorder.** You had as good say nothing.

**Lord Mayor.** Was it not an unlawful assembly? You mean he was speaking to a tumult of people there?

**Foreman.** My lord, this was all I had in commission. Here some of the jury seeming "to buckle to the questions of the court," Mr. Bushel, Mr. Hammond, and some others, opposed themselves, and said "they allowed of no such terms as an unlawful assembly;" at which the lord mayor, the recorder, sir J. Robinson, lieutenant of the tower, and alderman Bludworth "took great occasion to vilify them with the most opprobrious language," and this verdict not serving their turn, the recorder expressed himself thus: "The law of England will not allow you to part till you have given in your verdict, therefore go and consider it once more."

On this the jury declared, that they had given in their verdict, and could give in no other. They withdrew, however, after demanding and obtaining pen, ink, and

paper, and returning once more, at the expiration of half an hour, the foreman addressed himself to the clerk of the peace, and presenting the following decision, said here is our verdict: "We the jurors, hereafter named, do find William Penn to be guilty of speaking or preaching to an assembly met together in Gracious street, the 14th of Aug. last, 1670; and that William Mead is not guilty of the said indictment.

Foreman. Thomas Veer.

Edward Bushel," &c.

**Lord Mayor.** What! will you be led by such a silly fellow as Bushel? An impudent canting fellow; I warrant you, you shall come no more upon juries in haste; you are a foreman indeed! I thought you had understood your place better.

**Recorder.** Gentlemen, you shall not be dismissed till we have a verdict that the court will accept, and you shall be locked up without meat, drink, fire, and tobacco; you shall not think thus to abuse the court; we will have a verdict by the help of God, or you shall starve for it.

**Penn.** My jury, *who are my judges*, ought not to be thus menaced; their verdict should be free, and not compelled; the bench ought to wait upon [for] them, but not forestal them. I do desire that justice may be done, and that the arbitrary resolves of the bench may not be made the measure of my jury's verdict.

**Recorder.** Stop that prating fellow, or put him out of the court.

**Lord Mayor.** You have heard that he preached, that he gathered a company of tumultuous people, and that they not only did disobey the martial power; but the civil also.

**Penn.** It is a great mistake; we did not make the tumult, but they that interrupted us! The jury cannot be so ignorant as to think that we met there with a design to disturb the civil peace, since, first, we were by force of arms kept out of our lawful house, and met as near it in the street, as their soldiers would give us leave; and secondly, because it was no new thing, and it is known that we are a peaceable people, and cannot offer violence to any man. The agreement of twelve men is a verdict in law; and such a one being given by the jury. I require the clerk of the peace to record it, as he will answer at his peril. And if the jury bring in another verdict, contradictory to this, I affirm they are perjured men in law. Then looking towards them, he emphatically added, "You are Englishmen! mind your privilege, give not away your right!"

One of the jury having pleaded indisposition, and desired to be dismissed, the lord mayor said, "You are as strong as any of them; starve then, and hold your principles."

**Recorder.** Gentlemen you must be contented with your hard fate, let your patience overcome it; for the court is resolved to have a verdict, and that before you can be dismissed.

**Jury.** We are agreed!

The court now swore several of its officers to keep the jury all night, without meat, drink, fire, &c. and adjourned to seven o'clock next morning, which proved to be Sunday. They were then brought up as before, when, having persevered in their verdict, Mr. Bushel was reproved as a *factions fellow*, by the lord mayor; on this he replied, that he acted 'conscientiously.' The other observed, that such a conscience would cut his throat; 'but I will cut yours,' added he, 'so soon as I can.'

Mr. Penn now asked the recorder, if he allowed the verdict given in respect to William Mead? That magistrate replied, no; as they were both indicted for a conspiracy, and one being found 'not guilty,' and not the other, it could not be a verdict.

**Penn.** If *not guilty* be not a verdict, then you make of the jury, and Magna Charta, but a mere *nose of wax*! I affirm that the consent of a jury is a verdict in law; and if William Mead be not guilty, I am clear, as I could not possibly conspire alone.

Voz. IV.

2

The jury again received a charge; were sent out; returned, and presented the same verdict. On this, the recorder threatened Mr. Bushel, and said, "while he had any thing to do in the city, he would have an eye upon him!" The lord mayor termed him a pitiful fellow, and added, 'I will cut his nose.'

**Penn.** It is intolerable that my jury should be thus menaced; Is this according to the fundamental laws? Are not they my proper judges by the great charter of England? What hope is there of ever having justice done, when juries are threatened, and their verdicts rejected? I am concerned to speak, and grievous to see such arbitrary proceedings. Did not the lieut. of the tower render [treat] one of them (the jury) worse than a felon? And do you not plainly seem to condemn such factious fellows, who answer not your ends! Unhappy are those juries who are threatened to be fined, and starved, and ruined, if they give not in verdicts contrary to their consciences.

**Recorder.** My lord, you must take a course with that same fellow.

**Lord Mayor.** Stop his mouth, jailor, bring fetters, and stake him to the ground.

**Penn.** Do your pleasure; I matter not your fetters!

**Recorder.** Till now, I never understood the reason of the policy and prudence of the Spaniards, in suffering the *Inquisition* among them; and certainly it will never be well with us, till something like unto the Spanish Inquisition be in England.

The jury were once more required to give another verdict; Mr. Lee, the clerk, was also desired to draw up a special one, which he declined, and the recorder threatened to have the jurors carted about the city, as in Edward III's time. The foreman remonstrated in vain, that another verdict *would be a force on them to save their lives*; and the jury refused to go out of court until obliged by the sheriff. On this, the court immediately adjourned until next morning at seven o'clock, when the prisoners were, as usual, brought from Newgate, and, being placed at the bar, the clerk demanded is William Penn guilty, or not guilty? **Foreman.** Not guilty! Is William Mead guilty, or not guilty? **Foreman.** Not guilty! The bench being still dissatisfied, each of the jury was required to answer distinctly to his name, which being done, and they proving unanimous, the recorder spoke as follows:

I am sorry, gentlemen, you have followed your own judgments and opinions rather than the good and wholesome advice that was given you. God keep my life out of your hands! But for this the court fines you forty marks a man, and [commands] imprisonment until paid.

**William Penn.** I demand my liberty; being freed by the jury.

**Lord Mayor.** No, you are in for your fines, for contempt of the court.

**Penn.** I ask if it be according to the fundamental laws of England, that any Englishman should be fined, or amerced, but by the judgment of his peers, or jury? since it expressly contradicts the 14th and 29th chapter of the great charter of England, which says, "No freemen ought to be amerced, but by the oath of good and lawful men of the vicinage."

**Recorder.** Take him away, take him away; take him out of the court.

**Penn.** I can never urge the fundamental laws of England, but you cry, *take him away, take him away*! But it is no wonder, since the Spanish inquisition hath so great a place in the recorder's heart. God Almighty, who is just, will judge you for all these things.

Both jury and prisoners were now forced into the Baile-Dock, for non-payment of their fines, whence they were carried to Newgate. These proceedings, of course, aroused the attention of a nation, justly jealous of the government of such a profligate and arbitrary prince as Charles II. and indignant at the conduct of such a judge as Howel. Sir Thomas Smith, about a century before, had considered the fining, imprisoning,

and punishing of juries, to be violent, tyrannical, and contrary to the custom of the realm of England. While the celebrated Sir Matthew Hale, who had been chief baron of the exchequer, and chief justice of the king's bench, in this very reign, observed, in his Pleas of the Crown, p. 313, that it would be a most unhappy case for the judge himself, if the prisoner's fate depended upon his directions, and unhappy also for the prisoner; as, if the judge's opinion must rule the verdict, the trial by jury would be useless.

Edward Bushel, a citizen of London, whose name deserves to be handed down to posterity with applause, immediately sued out a writ of *habeas corpus*. Upon the return, it was stated, that he had been committed "for that, contrary to law, and against full and clear evidence openly given in court, and against the direction of the court in matter of law, he, as one of a jury, had acquitted William Penn and William Mead, to the great obstruction of justice." This cause was at length heard in the superior court; and, after a solemn argument before the twelve judges, the above was resolved to be 'an insufficient cause for fining and committing the jury.'—They were accordingly discharged, and they brought actions for damages. *Journal of Jurisprudence.*

### APPORTIONMENT BILL.

An act to fix the number of Senators and Representatives and form the state into districts, in pursuance of the provisions of the constitution.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That until the next enumeration of the taxable inhabitants, and an apportionment thereon, the Senate, at a ratio of 7,700, shall consist of 33 members, and be apportioned as follows:

| No. | Districts.  | Members. |
|-----|---|----------|
| 1.  | Philadelphia City shall be a district & elect     | 2        |
| 2.  | Philadelphia County                               | do 3     |
| 3.  | Montgomery  | do 1     |
| 4.  | Chester and Delaware                              | do 2     |
| 5.  | Bucks   | do 1     |
| 6.  | Berks and Schuylkill                              | do 2     |
| 7.  | Lancaster   | do 2     |
| 8.  | Dauphin and Lebanon                               | do 1     |
| 9.  | Northumberland and Union                          | do 1     |
| 10. | Luzerne and Columbia                              | do 1     |
| 11. | Bradford, Susquehanna, & Tioga                    | do 1     |
| 12. | Northampton, Lehigh, Wayne and Pike               | do 2     |
| 13. | Lycoming, Centre, Clearfield, M'Kean & Potter     | do 1     |
| 14. | York and Adams                                    | do 2     |
| 15. | Franklin  | do 1     |
| 16. | Cumberland and Perry                              | do 1     |
| 17. | Huntingdon, Mifflin & Cambria                     | do 1     |
| 18. | Westmoreland                                      | do 1     |
| 19. | Fayette and Greene                                | do 1     |
| 20. | Washington  | do 1     |
| 21. | Allegheny   | do 1     |
| 22. | Somerset and Bedford                              | do 1     |
| 23. | Erie, Crawford & Mercer                           | do 1     |
| 24. | Venango, Warren, Armstrong, Indiana and Jefferson | do 1     |
| 25. | Beaver and Butler                                 | do 1     |

SECT. 2. *And be it further enacted by the authority aforesaid,* That in those districts which are composed of more than one county, the judges of the district elections within each county, after having formed a return of the whole election within such county, in such manner as is or may be directed by law, shall send the same by one of their number to the place hereinafter mentioned, within the district of which such county is a part, where the judges so met shall cast up the several county returns, and execute under their hands and seals, one general and true return for the whole district, viz: The judges of the district composed of the counties of Chester and Delaware shall meet at the court house, in the borough of West Chester; the judges of the district

composed of the counties of Berks and Schuylkill, shall meet at the house now occupied by John Baily, in Hamburg, in the county of Berks; the judges of the district composed of the counties of Dauphin and Lebanon, shall meet at the public house now occupied by John Wolfersberger, in Campbellstown, in the county of Lebanon; the judges of the district composed of the counties of Northumberland and Union shall meet at the house now occupied by Jacob Musser, in the borough of Lewisburg, in the county of Union; the judges of the district composed of the counties of Luzerne and Columbia, shall meet at the house now occupied by Lewis Horten, in Berwick, in the county of Columbia; the judges of the district composed of the counties of Bradford, Susquehanna and Tioga, shall meet at the court house, in the village of Towanda, in the county of Bradford; the judges of the district composed of the counties of Northampton, Lehigh, Wayne and Pike, shall meet at the court house, in the borough of Northampton; the judges of the district composed of the counties of Lycoming, Centre, Clearfield, M'Kean and Potter, shall meet at the house now occupied by Alexander Mahon, in Lycoming county; the judges of the district composed of the counties of York and Adams, shall meet at the house now occupied by John and Henry Zell, in the borough of Hanover, in the county of York; the judges of the district composed of the counties of Cumberland and Perry, shall meet at the court house, in the borough of Carlisle, in the county of Cumberland; the judges of the district composed of the counties of Huntingdon, Mifflin and Cambria, shall meet at the court house, in the borough of Huntingdon; the judges of the district composed of the counties of Fayette and Greene, shall meet the house of Jeremiah Davidson, in Luzerne township, Fayette county; the judges of the district composed of the counties of Bedford and Somerset, shall meet at the house now occupied by John Statler, Allegheny; the judges of the district composed of the counties of Beaver and Butler, shall meet at the house formerly occupied by Jacob Kelker, in the town of Harmony; the judges of the district composed of the counties of Erie, Crawford and Mercer, shall meet at the court house, in the town of Meadville, in the county of Crawford; the judges of the district composed of the counties of Venango, Warren, Armstrong, Indiana and Jefferson, shall meet at the house now occupied by Matthew Hosey, in Armstrong county.

SECT. [3. *And be it further enacted by the authority aforesaid,* That until the next enumeration of taxables, and an apportionment thereon made, the House of Representatives, at a ratio of two thousand five hundred and forty four, shall consist of one hundred members, viz:

|  |    |    |      |
|--|----|----|------|
| The city of Philadelphia shall be entitled to 7 members, |    |    |      |
| The county of Philadel.                                  | do | do | 8 do |
| Bucks  | do | do | 4 do |
| Chester,   | do | do | 4 do |
| Lancaster,   | do | do | 6 do |
| York,  | do | do | 3 do |
| Cumberland,  | do | do | 2 do |
| Perry,   | do | do | 1 do |
| Berks,   | do | do | 4 do |
| Schuylkill,  | do | do | 1 do |
| Northampt. Wayne & Pike,                                 | do | do | 4 do |

and the return judges shall meet at the court house, in the borough of Easton,

|                      |    |    |      |
|----------------------|----|----|------|
| Lehigh,              | do | do | 2 do |
| Northumberland,      | do | do | 1 do |
| Union,               | do | do | 2 do |
| Columbia,            | do | do | 1 do |
| Washington,          | do | do | 3 do |
| Westmoreland,        | do | do | 3 do |
| Armstrong,           | do | do | 1 do |
| Indiana & Jefferson, | do | do | 1 do |

and the return judges shall meet at the court house, in the borough of Indiana,

|          |    |    |      |
|----------|----|----|------|
| Fayette, | do | do | 2 do |
|----------|----|----|------|

|                     |    |    |   |    |
|---------------------|----|----|---|----|
| Bedford,            | do | do | 2 | do |
| Franklin,           | do | do | 2 | do |
| Montgomery,         | do | do | 3 | do |
| Dauphin,            | do | do | 2 | do |
| Lebanon,            | do | do | 1 | do |
| Luzerne,            | do | do | 2 | do |
| Susquehanna,        | do | do | 1 | do |
| Bradford and Tioga, | do | do | 2 | do |

and the return judges shall meet at the house now occupied by Ruben Nash, in Columbia township, Bradford county,

|                    |    |    |   |    |
|--------------------|----|----|---|----|
| Huntingdon,        | do | do | 2 | do |
| Beaver,            | do | do | 2 | do |
| Allegheny,         | do | do | 4 | do |
| Butler,            | do | do | 1 | do |
| Mifflin,           | do | do | 2 | do |
| Delaware,          | do | do | 1 | do |
| Somerset & Cambia, | do | do | 2 | do |

and the return judges shall meet at the house now occupied by George Graham, in Stoystown, in the county of Somerset, the counties of Lycoming, Potter and M'Kean shall be entitled to two, and the return judges shall meet at the court house, in the borough of Williamsport, in the county of Lycoming, the county of Green to one, the county of Adams to two, the counties of Centre and Clearfield to two, and the return judges shall meet at the court house, in the borough of Bellefonte, in the county of Centre, the county of Erie to one, the county of Crawford to one, the counties of Venango and Warren to one, and the return judges shall meet at the house now occupied by William Neal, in Venango county, the county of Mercer to one.

**SECT. 4.** *And be it further enacted by the authority aforesaid,* That the senators and representatives shall be chosen by the duly qualified citizens of Philadelphia and the several counties, at the time, manner and places prescribed by the constitution and laws of this commonwealth.

**SECT. 5.** *And be it further enacted by the authority aforesaid,* That the additional senator to which the county of Philadelphia is entitled by virtue of this act, shall be chosen by the qualified electors thereof, at the general election for the year one thousand eight hundred and thirty-two and that nothing in this act contained shall be construed in any way to interfere with the elections of the senators to which the said county is entitled by the act of the twenty-fifth of March, one thousand eight hundred and twenty-two, entitled "An act to fix the number of senators and representatives, and form the state into districts in pursuance of the provisions of the constitution," and that at the general election in the year one thousand eight hundred and thirty, the qualified electors of the district composed of the counties of Fayette and Greene shall elect one senator, in pursuance of the provisions of this act.

NER MIDDLESWARTH, Speaker  
of the House of Representatives.

DANIEL STURGEON, Speaker  
of the Senate.

Approved—the twentieth day of April, A. D. one thousand eight hundred and twenty-nine.

J. ANDW. SHULZE.

The following statement shows the representative number and the number of members of the Legislature for the different periods.

| Years.       | Senators. | Representatives. |
|--------------|-----------|------------------|
| 1793 to 1800 | 24        | 78               |
| 1800 to 1807 | 4670 25   | 1350 86          |
| 1807 to 1814 | 4500 31   | 1500 96          |
| 1814 to 1821 | 5250 31   | 1750 97          |
| 1821 to 1828 | 6300 33   | 2100 100         |
| 1828 to 1835 | 7700 33   | 2544 100         |

PENNSYLVANIA HOSPITAL, July 1, 1829.

The Rain which fell in May, measured; 2,68 inches.  
In June,.....3,44

## TEST ACT.

Philadelphia, June 28, 1777.

An Act obliging the male white inhabitants of this state to give assurances of allegiance to the same, and for other purposes therein mentioned.

Whereas the separation of the Thirteen United States from the Government of the Crown and Parliament of Great Britain (who by their Acts of oppression and cruelty, as set forth in the Declaration of Independence by Congress, bearing date the tenth of July 1776, had rendered such separation on the part of the said States, absolutely necessary for their own happiness and the happiness of succeeding generations) the good people of this state of Pennsylvania are become free and independent of the said Crown and Parliament.

And whereas from sordid, mercenary motives, or other causes inconsistent with the happiness of a free and independent people, sundry persons have, or may yet be induced to withhold their service and allegiance from the Commonwealth of Pennsylvania, as a free independent State, as declared by Congress: And whereas sundry other persons, in their several capacities, have, at the risk of their lives, or the hazard of their fortunes, or both, rendered great and eminent services in defence and support of the said independence, and may yet continue to do the same; and as both those sorts of persons remain at this time mixed & in some measure undistinguished from each other, the disaffected deriving undeserved service from the faithful and well affected: And whereas allegiance and protection are reciprocal; and those who will not bear the former, are not (nor ought not) to be entitled to the benefit of the latter: Therefore be it enacted, by the Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, that all male white inhabitants of this state, except of the counties of Bedford, Northumberland and Westmoreland, above the age eighteen years, shall on or before the first day of July next, take and subscribe the following oath or affirmation before some one of the Justices of the peace of the city or county where they shall respectively inhabit; and the inhabitants of the said counties of Bedford, Northumberland and Westmoreland, above the said age, shall, on or before the first day of August next, take and subscribe the said oath or affirmation, before some one of the justices of the said three counties last mentioned, in which they shall respectively inhabit; and the said justices shall give a certificate thereof to every such person; and the said oath or affirmation shall be as followeth, viz.

I [— —] do swear or affirm, that I renounce and refuse all allegiance to George the Third, King of Great Britain, his heirs, and successors; and that I will be faithful and bear true allegiance to the Commonwealth of Pennsylvania, as a free and independent State, and that I will not at any time do, or cause to be done, any matter, or thing that will be prejudicial or injurious to the freedom and independence thereof, as declared by Congress. And also, that I will discover and make known to some one justice of the Peace of the said state, all treasons or treacherous conspiracies, which I now know or hereafter shall know, to be formed against this, or any of the United States of America.

And the form of the certificate shall be as followeth, viz.

I do hereby certify that [— —] hath voluntarily taken and subscribed the oath or affirmation of allegiance & fidelity, as directed by an act of general Assembly of Pennsylvania, passed the thirteenth of June, 1777.  
Witness my hand and seal, the day of  
A. D. (L. S.)

And be it further enacted, by the authority aforesaid, That the justice or justices of the peace before whom such oath or affirmation shall be subscribed, shall keep fair register of the names and surnames so sworn or affirmed, and the time when, and shall, on or before the

first day of October in every year, transmit in writing, under his or their hands and seals to the office of Recorder of Deeds for the said city or county, a true list of the names and surnames of those, who, within the same year, have so sworn or affirmed before them respectively; and the said justice or justices shall have and receive therefor, and for the said certificate, the sum of one shilling and no more, for every person so sworn or affirmed; and the said justice or justices shall lay their accounts before the county Commissioners, or any two of them, from time to time, to be examined and allowed; and the said Commissioners shall draw orders on the county Treasury for such sums as shall be so allowed, which orders the said treasurers are hereby authorized and required to pay out of the state taxes; and the recorders of deeds in the city and several counties of this state, are hereby enjoined to record the said list in books to be prepared for that purpose, and shall be paid for the same in the same manner as the justices, at the rate of five pounds for every hundred names.

And be it further enacted, by the authority aforesaid, That every person above the age aforesaid, refusing or neglecting to take and subscribe the said oath or affirmation, shall, during the time of such neglect or refusal, be incapable of holding any office or place of trust in this state, serving on juries, suing for any debts, electing or being elected, buying or selling, or transferring any lands, tenements or hereditaments, and shall be disarmed by the Lieutenant or Sub-lieutenants of the city or county respectively.

And whereas there is a danger of having the seeds of discord and disaffection greatly spread by persons, whose political principles are not known, removing or travelling from one part of the state to another; and it is well known that this state is already become (and likely to be more so) an asylum for refugees flying from the just resentment of their fellow citizens in other states: for remedy whereof, be it enacted, by the authority aforesaid, That every person above the age aforesaid, who shall travel out of the county or city in which he usually resides, without the certificate aforesaid, may be suspected to be a spy, and to hold principles inimical to the United States, and shall be taken before one of the justices nearest to the place where he shall be apprehended, who shall tender to him the said oath or affirmation, and upon his refusal to take and subscribe the said oath or affirmation, the said justice shall commit him to the common jail of the city or county, there to remain without bail or mainprize, until he shall take and subscribe the said oath or affirmation, or produce a certificate that he had already done so.

And be it further enacted, by the authority aforesaid, That all persons coming from any of the other United States into this state, are hereby required to apply to one of the nearest justices after he enters this state, and take and subscribe the said oath or affirmation, upon the penalty of being dealt with as in the case of persons travelling or removing out of the city or county in which they usually reside, unless he can produce a certificate that he hath taken the oath or affirmation, of the like nature, in the state from whence he came.

Provided always nevertheless, That Delegates in Congress, prisoners of war, officers and soldiers in the continental army merchants and mariners trading in the ports of this state from foreign powers in amity with the United States, and not becoming residents, are declared not to be within the intent and meaning of this act.

And be it further enacted, That if any person shall forge such certificate, as by this act is to be made out, and given by any of the justices of the peace of this state; or shall cause or procure others to forge or counterfeit the name and seal of the justice of the peace to such certificate, or shall by erasing or otherwise taking out, or covering or pasting over, a man's name that was wrote in a true and genuine certificate, alter the same as to serve his own, or any other man's purposes; or shall produce and make use of any such certificate,

knowing it to be forged or altered, every such person and persons so offending, and being thereof legally convicted before any court of general quarter sessions of the peace of the city or county where such offence shall be committed, shall be fined the sum of fifty pounds, and be committed to jail until he pays the fine, and cost of prosecution. And if he shall not within the space of thirty days satisfy the judgment of the court, he shall be whipped with any number of lashes not exceeding thirty-nine, on his bare back, well laid on.

JOHN BAYARD, Speaker.

Enacted into a law June the 13th, 1777, JOHN MONROE, Jun. Clerk of the General Assembly.

[The same act has been passed by the Assemblies of the other twelve Colonies.]

Lancaster, June 23.

*The Crops.*—The Grass throughout the County of Lancaster is unusually heavy, and may be considered a full crop. The appearance of the Wheat and Rye is very promising, but much of it is down and will have to be generally cut with the sickle. The corn looks very well, and the moist spring, and frequent showers, have given the potatoes such a start that there is little danger of a failure of that crop in consequence of a dry summer. Every thing gives promise of an abundant harvest, and if the prices of produce shall continue favourable, our farmers will have great reason to be thankful.

Mr. Aaron Denman, of this city, has in operation at Chester, (Pa.) machinery for manufacturing paper from straw.—This paper is especially valuable for packing.

#### TAXABLES.

*Taxables at different periods prior to 1793.*

| Years. | Philad. City. | Philad. Co. | City & Co. |
|--------|---------------|-------------|------------|
| 1720   | —             | —           | 1195       |
| 1740   | —             | —           | 4850       |
| 1751   | —             | —           | 7100       |
| 1760   | 2634          | 5687        | 8321       |
| 1770   | 3751          | 6704        | 10455      |
| 1779   | 3681          | 7066        | 10747      |
| 1786   | 4876          | 4516        | 9392       |

#### Bucks County.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1752 | - | 3012 | 1732 | - | 2157 |
| 1760 | - | 3148 | 1737 | - | 2532 |
| 1770 | - | 3177 | 1742 | - | 3007 |
| 1779 | - | 4067 | 1747 | - | 3444 |
| 1986 | - | 4273 | 1752 | - | 3951 |

#### Lancaster.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1752 | - | 3977 | 1760 | - | 4761 |
| 1760 | - | 5631 | 1770 | - | 5484 |
| 1770 | - | 6608 | 1779 | - | 6378 |
| 1779 | - | 8433 | 1786 | - | 6286 |

#### Cumberland.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1749 | - | 807  | 1749 | - | 1466 |
| 1751 | - | 1134 | 1750 | - | 1798 |
| 1760 | - | 1501 | 1752 | - | 2052 |
| 1770 | - | 3521 | 1760 | - | 2302 |
| 1779 | - | 5092 | 1770 | - | 4426 |

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1779 | - | 5092 | 1779 | - | 6281 |
| 1786 | - | 3939 | 1786 | - | 6254 |

#### Berks.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1760 | - | 3016 | 1760 | - | 1989 |
| 1770 | - | 3302 | 1770 | - | 2793 |
| 1779 | - | 4662 | 1779 | - | 3600 |
| 1786 | - | 4732 | 1786 | - | 3967 |

#### Bedford.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1779 | - | 1201 | 1779 | - | 2111 |
| 1786 | - | 2632 | 1786 | - | 2166 |

#### Washington.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1786 | - | 3908 | 1779 | - | 2111 |
|      |   |      | 1773 | - | 2653 |

#### Franklin.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1786 | - | 2237 | 1786 | - | 2041 |
|------|---|------|------|---|------|

#### Dauphin.

|      |   |      |      |   |      |
|------|---|------|------|---|------|
| 1786 | - | 2881 | 1786 | - | 3725 |
|------|---|------|------|---|------|

Total taxables in the state, 1786 66,925



## TAXABLES IN PENNSYLVANIA.

Table shewing the number of taxable inhabitants in the state of Pennsylvania at each of the septennial enumerations, also the date of the formation of each county and the number of inhabitants in each county, and in the whole state at the rate of 5 inhabitants to one taxable.

| Names of Counties.   | when<br>form'd | 1793   | 1800    | 1807    | 1814    | 1821    | 1828    | No. Inhbs.<br>at 5 t. to 1. | deaf &<br>dumb | slaves |
|----------------------|----------------|--------|---------|---------|---------|---------|---------|-----------------------------|----------------|--------|
| City of Philadelphia | 1683           | 7,088  | 6,625   | 7,813   | 9,383   | 12,696  | 16,556  | 82,780                      | 97             | 1      |
| Philadelphia County  | 1683           | 6,855  | 7,919   | 9,055   | 10,486  | 15,196  | 20,750  | 103,750                     | 27             | 5      |
| Bucks                | 1683           | 4,644  | 5,089   | 5,977   | 7,066   | 8,300   | 9,076   | 45,380                      | 21             | 3      |
| Chester              | 1683           | 5,270  | 6,125   | 7,496   | 8,072   | 9,171   | 10,231  | 51,155                      | 14             | 7      |
| Lancaster            | 1729           | 6,409  | 7,834   | 9,562   | 11,346  | 13,560  | 14,991  | 74,955                      | 17             | 4      |
| York                 | 1749           | 6,974  | 5,133   | 5,562   | 6,772   | 7,983   | 8,526   | 42,630                      | 22             |        |
| Cumberland           | 1749           | 3,869  | 4,313   | 4,483   | 5,971   | 5,048   | 5,342   | 26,710                      | 25             | 14     |
| Berks                | 1752           | 5,511  | 6,325   | 7,580   | 7,390   | 8,896   | 10,202  | 51,010                      | 11             | 2      |
| Northampton          | 1752           | 4,697  | 5,345   | 6,353   | 4,523   | 5,646   | 7,382   | 36,910                      | 9              |        |
| Bedford              | 1771           | 2,881  | 2,517   | 2,851   | 3,351   | 4,045   | 4,442   | 22,210                      |                |        |
| Northumberland       | 1772           | 3,878  | 5,131   | 6,061   | 1,687   | 3,037   | 3,581   | 17,905                      |                |        |
| Westmoreland         | 1773           | 3,451  | 4,404   | 4,374   | 5,370   | 6,176   | 6,516   | 32,580                      | 26             | 4      |
| Washington           | 1781           | 5,045  | 5,094   | 5,716   | 6,780   | 7,345   | 8,134   | 40,670                      | 10             | 5      |
| Fayette              | 1783           | 2,844  | 3,779   | 4,454   | 4,579   | 5,372   | 5,897   | 29,485                      | 11             | 9      |
| Franklin             | 1784           | 3,570  | 3,775   | 3,789   | 4,331   | 5,841   | 6,095   | 30,475                      |                |        |
| Montgomery           | 1784           | 4,360  | 4,742   | 5,626   | 6,221   | 7,437   | 8,242   | 41,210                      | 17             |        |
| Dauphin              | 1785           | 3,481  | 3,982   | 4,779   | 3,348   | 4,235   | 4,602   | 23,010                      | 9              |        |
| Luzerne              | 1786           | 1,409  | 2,395   | 2,730   | 2,379   | 3,540   | 4,482   | 22,410                      |                |        |
| Huntingdon           | 1787           | 1,717  | 2,559   | 2,766   | 3,502   | 4,281   | 5,009   | 25,045                      | 12             | 2      |
| Allegheny            | 1788           | 2,510  | 2,501   | 4,024   | 5,518   | 6,969   | 10,236  | 51,180                      | 24             | 1      |
| Mifflin              | 1789           | 2,468  | 2,699   | 2,441   | 3,063   | 3,656   | 4,199   | 20,995                      | 6              | 1      |
| Delaware             | 1789           | 2,216  | 2,285   | 2,554   | 2,661   | 2,856   | 3,633   | 18,165                      | 2              | 1      |
| Lycoming             | 1795           | —      | 1,382   | 2,406   | 1,858   | 2,836   | 3,081   | 15,405                      |                |        |
| Somerset             | 1795           | —      | 1,661   | 1,925   | 2,191   | 2,925   | 3,340   | 16,700                      |                |        |
| Greene               | 1796           | —      | 1,576   | 1,911   | 2,412   | 2,612   | 3,141   | 15,705                      | 6              | 5      |
| Wayne                | 1798           | —      | 573     | 777     | 551     | 979     | 1,381   | 6,905                       |                |        |
| Adams                | 1800           | —      | 2,568   | 2,741   | 2,979   | 3,852   | 4,192   | 20,960                      | 11             | 8      |
| Centre               | 1800           | —      | 1,341   | 1,918   | *1,765  | 2,820   | 3,618   | 18,090                      | 11             |        |
| Beaver               | 1800           | —      | 859     | 1,937   | 2,398   | 3,120   | 4,208   | 21,040                      |                |        |
| Butler               | 1800           | —      | 871     | 1,444   | 1,491   | 2,022   | 2,810   | 14,050                      |                |        |
| Mercer               | 1800           | —      | 535     | 1,623   | 1,734   | 2,440   | 3,490   | 17,450                      | 1              |        |
| Crawford             | 1800           | —      | 589     | 1,216   | 1,184   | 2,000   | 3,634   | 15,170                      |                |        |
| Erie                 | 1800           | —      | 461     | 914     | 858     | 1,973   | 2,867   | 14,335                      |                |        |
| Warren               | 1800           | —      | 52      | —       | † 656   | 524     | 920     | 4,600                       |                |        |
| Venango              | 1800           | —      | 293     | 782     | —       | 1,050   | 1,930   | 9,650                       | 12             |        |
| Armstrong            | 1800           | —      | 294     | 916     | 1,454   | 2,089   | 3,257   | 16,285                      |                |        |
| Indiana              | 1803           | —      | —       | —       | 1,363   | 1,928   | 2,732   | 13,660                      | 4              |        |
| Jefferson            | 1804           | —      | —       | 1,123   | 35      | 137     | 356     | 1,780                       | 3              | 1      |
| M'Kean               | 1804           | —      | —       | 13      | †       | 211     | 307     | 1,535                       |                |        |
| Clearfield           | 1804           | —      | —       | 163     | 264     | 584     | 892     | 4,460                       | 4              |        |
| Potter               | 1804           | —      | —       | —       | —       | 50      | 246     | 1,230                       |                |        |
| Tioga                | 1804           | —      | —       | —       | 199     | 810     | 1,635   | 8,175                       | 3              |        |
| Cambria              | 1804           | —      | —       | —       | 521     | 757     | 1,144   | 5,720                       | 4              |        |
| Bradford             | 1810           | —      | —       | 430     | —       | —       | —       | —                           |                |        |
| Susquehanna          | 1810           | —      | —       | —       | 1,493   | 2,277   | 3,365   | 16,825                      |                |        |
| Schuylkill           | 1811           | —      | —       | —       | 1,242   | 1,929   | 2,594   | 12,970                      | 2              |        |
| Lehigh               | 1812           | —      | —       | —       | 1,614   | 2,045   | 2,715   | 13,575                      | 10             | 2      |
| Lebanon              | 1813           | —      | —       | —       | 2,902   | 3,763   | 4,321   | 21,605                      | 20             |        |
| Union                | 1813           | —      | —       | —       | 2,696   | 3,228   | 3,563   | 17,815                      | 3              | 1      |
| Columbia             | 1813           | —      | —       | —       | 2,772   | 3,620   | 3,772   | 18,860                      | 3              |        |
| Pike                 | 1813           | —      | —       | —       | 3,349   | 3,459   | 3,521   | 17,605                      | 4              |        |
| Perry                | 1814           | —      | —       | —       | —       | 690     | 892     | 4,460                       | 2              |        |
|                      |                |        |         |         |         | 2,430   | 2,980   | 14,900                      | 5              |        |
|                      |                | 91,147 | 113,355 | 138,285 | 163,780 | 210,441 | 254,428 | 1,272,140                   | 468            | 76     |

\*Including M'Kean.

†Do. with Venango.

‡Do. with Centre.

| Years.    |    |      |              | Taxables.  |    |              |
|-----------|----|------|--------------|------------|----|--------------|
| From 1786 | to | 1793 | the increase | was 24,222 | or | 36 per cent. |
| 1793      | to | 1800 | do           | 22,208     |    | 24 do.       |
| 1800      | to | 1807 | do           | 24,930     |    | 22 do.       |
| 1807      | to | 1814 | do           | 27,137     |    | 19 do.       |
| 1814      | to | 1821 | do           | 45,019     |    | 27 do.       |
| 1821      | to | 1828 | do           | 43,987     |    | 21 do.       |
| From 1793 | to | 1828 | do           | 163,281    |    | 179 do.      |

In consequence of the continual changes which occurred in different Counties, by the formation of new ones from the old, no estimate of their respective increase can be made.

Head-quarters, on Schuylkill, Dec. 17. 1777.

### GENERAL ORDERS.

The Commander in Chief, with the highest satisfaction, expresses his thanks to the officers and soldiers for the fortitude and patience with which they have sustained the fatigues of the campaign.

Although in some instances we have unfortunately failed, yet upon the whole, Heaven has smiled upon our arms, and crowned them with signal success; and we may on the best grounds conclude, that by a spirited continuance in the measures necessary for our defence, we shall finally obtain the end of our warfare, *Independence, Liberty, and Peace*. These are blessings worth contending for at every hazard; but we hazard nothing—the power of America alone, duly exerted, would have nothing to dread from the force of Britain. Yet we stand not wholly upon our own ground, France yields us every aid we ask; and there are reasons to believe the period is not very distant when she will take a more active part, by declaring war against the British crown. Every motive, therefore, irresistibly urges us, nay commands us to a firm and manly perseverance in our opposition to our cruel oppressors—to slight difficulty, endure hardships, and contemn every danger.

The General ardently wishes it were now in his power to conduct the troops into the best winter quarters; but where are these to be found? Should we retire to the interior parts of the state, we should find them crowded with virtuous citizens, who, sacrificing their All, have left Philadelphia and fled hither for protection;—to their distresses, humanity forbids us to add. This is not all!—We should leave a vast extent of fertile country to be despoiled and ravaged by the enemy, from which they would draw vast supplies, and where many of our firm friends would be exposed to all the miseries of an insulting and wanton depredation.—A train of evils might be enumerated, but these will suffice. These considerations make it indispensibly necessary for the army to take such a position as will enable it most effectually to prevent distress, and give the most extensive security; and in that position we must make ourselves the best shelter in our power. With alacrity and diligence, huts may be erected that will be warm and dry. In these the troops will be compact, more secure against surprizes, than in a divided state, and at hand to protect the country. These cogent reasons have determined the General to take post in the neighbourhood of this camp, and influenced by them, he persuades himself that the officers and soldiers, with one heart and one mind, will resolve to surmount every difficulty with a fortitude and patience becoming their profession, and the sacred cause in which they are engaged. He himself will share the hardships and partake of every inconvenience.—

Proposals for only about 85000 having been received by the Commissioner of loans, at one o'clock, P. M. on Saturday last, at the Merchants' Coffee-House, at Auction, he offered *One Million* of the Five per Cent Pennsylvania Canal and Rail-Road Loan, authorized by an Act of the Legislature of the 22d. of April, 1829.—The Auctioneer having stated to the citizens there assembled, that no bid, *under par*, would be accepted—no bid was offered for any portion of the Loan.

We understand that the Bank of Penn. has agreed to make a temporary loan to the state of 225,000.

The Norristown Herald states that during the last week 93 boats, carrying 2546 tons of Stone Coal, and also a quantity of Flour, Leather, Paper, 12,000 feet of Lumber, 2000 Shingles and Staves departed from Mount Carbon and Port Carbon—20,168 tons of Stone Coal have already been sent down this season.

### TRIBUTE OF RESPECT.

Harrisburg, June 2, 1829.

Dear Sir—As Engineers employed on different lines of the Pennsylvania canal and rail road, we cannot permit you to leave the service of the commonwealth, without some expression of our respect and esteem.

During the period in which we were engaged in preparatory surveys and locations of our respective divisions, we had an opportunity of becoming acquainted with the value of your services in the Engineer department, and of the able manner in which you executed the various duties, which have been intrusted to you by the late board; and while it affords much gratification in acknowledging our regard for your gentlemanly deportment towards us, yet we cannot but express our sentiments and respect for your faithfulness and zeal in the discharge of those duties which were assigned to the office which you held in the service of the state.

We remain very respectfully, yours

JOHN WILSON, Engineer

Penn'a Rail way.

DE WITT CLINTON, Engineer

Juniata Canal.

F. W. RAWLE, Engineer

West Branch Canal.

CHAS. T. WHIPPO, Engineer

North Branch Susq.

SIMEON GUILFORD, Engineer

Susquehanna Canal

SAM'L H. KNEASS, Engineer

Eastern Div. Canal

ALONZO LIVERMORE, Engineer

Kiskeminetias and Con. Canal.

Joseph McIlwaine, Esq.

Harrisburg, June 2, 1829.

Dear Sir—We cannot permit you to retire from the service of the commonwealth, without an expression of respect for your character, and of our unfeigned thanks for the prompt, gentlemanly and efficient aid you have at all times rendered during our superintendence of the lines of canal entrusted to our care.

It is due in candour to you, and we have great pleasure in acknowledging the fact, that to your indefatigable zeal for the internal improvement of the state and to your judicious advice and assistance, especially in the organization of the several lines, we are chiefly indebted for the establishment of that system of order which we trust, on the most rigid scrutiny, will be found to have prevailed in our respective departments.

Accept, dear sir, the assurance of our warmest friendship, and our anxious wishes for your welfare.

THOMAS G. KENNEDY, Sup't.

Delaware Division.

THOMAS WOODSIDE, Sup't.

North Branch Division.

ANDREW M'REYNOLDS, Sup't.

West Branch Division.

WILLIAM WILSON, Sup't.

Eastern Division.

JOS. J. WALLACE, Clerk.

Eastern Division.

R. L. KEAN, Clerk.

Western Division.

Joseph McIlwaine, Esq. late Secretary of the Board of Canal Commissioners of Pennsylvania.

*The Season.*—"The crops in this county," says the Montrose (Susquehanna county) Register, "have been severely injured by the drought. The fields of wheat and rye have suffered severely—the spring crops in many places are beginning to bear a yellow, withering aspect, and the pastures are drying up." We understand that the crops in some parts of Luzerne county are also suffering considerably from the unusual dryness of the season.

Pottsville June 24th.

☞ **LABOURERS WANTED.**—500 labourers and experienced miners can obtain immediate employment and good wages at the different coal mines and rail roads in the vicinity of this place.

A daily mail commenced running between Pottsville and Philadelphia on 24th inst. This is a very desirable and happy arrangement, as the intercourse carried on, and the business transacted between the two places has become so great, that it is of the most vital importance that a daily communication should be kept up between the citizens of both places.

We have been informed by a citizen of this place, that four years ago, he left the city of Philadelphia for the purpose of going to Pottsville; and when he arrived at Reading, he ascertained that the mail stage passed through Pottsville only once a week, and he was compelled either to procure private conveyance, or lie at Reading several days. Now we have a daily mail, conveyed in a large stage, which is not sufficient to carry all the passengers, as the proprietor was compelled to run three additional stages on Wednesday, which were all crowded. We wish no better proof than the above to show the prosperity of our borough.—*Journal*.

**LUMBER.**—*A retrograde movement.*—It is a fact worthy of record, that the demand for this article has increased to such an extent at Pottsville, in consequence of the great quantity used in laying the rail roads and constructing numerous buildings, that notwithstanding the almost unparalleled amount of timber that is annually converted into lumber at our saw-mills, it is impossible to obtain a sufficient quantity, well seasoned; to finish some of the dwelling houses commenced, and several individuals have been induced to send to Philadelphia for a supply for that purpose. Who would have thought, a few years ago, that the citizens of Pottsville would have found it necessary to send to Philadelphia for lumber? *Ib.*

*A statement of the number of Arks and Rafts that descended the North Branch of the Susquehanna this season.*

DOCT. ISAAC PICKERING and CHRISTIAN BROBST, Esq. employed and paid *Hiram Friar*, a disinterested person to count them; and 17th. of April was taken as an average day for 6 weeks—although the running continued 8 weeks—and a few days interruption by wind and high water—on some days above 200 floated past the town of Catawissa, and other days not a 100—so we take the above mentioned days as an average for 6 weeks, which was as follows, viz: On the 17th. of April, there floated past the town of Catawissa, 167, of which 36 were arks, laden with wheat, whiskey, stone coal, shingles, staves, ash-plank, pine and cherry boards, &c. One hundred and eleven board rafts, 92 of the rafts were laden with shingles, staves, hoop-poles, cider, whiskey, pork, potash, and a variety of other articles—and 20 timber rafts.

The probable value of the above floats, as judged by old experienced water-men are as follows, viz: 36 arks 45 tons each, 1620 tons, \$2500, \$40,500 00  
111 rafts 30,000 feet each, at

|  |           |
|--|-----------|
| \$80 per 1000,.....                      | 26,640 00 |
| Loading carried on 92 rafts, each \$150, | 13,800 00 |
| 40 timber rafts, at \$125,.....          | 2,500 00  |

Amount of one days running,..... \$83,440 00

Amount of the whole 6 weeks running, \$3,504,480 00

I do certify that I counted the arks and rafts, and above statement is correct as to number, and I believe the valuation to be correct.

HIRAM FRIAR,

I do certify, that the above is correct to the best of my knowledge.

ISAAC PICKERING.

Uniontown, (Penn.) June 17.

*The Locusts.*—After an interval of seventeen years, these destructive insects have re-appeared amongst us in vast numbers. The orchards and woods, are literally swarming with them. In an orchard adjoining this town we saw at the root of a single apple tree, between a peck and a half bushel of shells, which they had shed, and as many as eight sticking to a single leaf of the same tree. We gather from the papers and private information that they are not found more than twenty miles north of us, and none east of the Allegheny mountain.—Southwardly they are found as far as Staunton (Virginia) and Westwardly generally throughout Ohio, as far as Chillicothe. We presume they extend much farther to the South and West. There are some singular facts in the natural History of these insects. Their periodical appearance is every seventeen years. We have conversed with a gentleman who distinctly recollects four occasions of their appearance. We believe they eat nothing after they cast their shells. During the heat of the day they keep up a most deafening clamour, which is distinctly marked with pauses, and regular swelling and sinking notes. The female is provided with a kind of sting with which it perforates the tender branches of trees in which it deposits its eggs. This process is very destructive to fruit trees, in many instances killing the branch. We know of no other injuries committed by them. They are said to live not longer than six or seven weeks after they assume the winged form, during which period the females are engaged in depositing their eggs, and the males in doing out their discordant music—they sing 'till they die. They are not migratory.

Mercer, (Penn.) June 20, 1829.

This county was visited on Wednesday last with one of the severe storms we have had for years.

Mr. William Hunter, an old and respectable inhabitant of Lackawannock township, was struck by lightning while at the residence of Mr. Means. He fell immediately after receiving the shock, senseless, but was recovered to animation by the exertions of his friends. We understand little hope is entertained of his recovery. Esquire Kirk, Mr. Thomas Means, and Mr. Hunter, had gone to the house of Mr. Hugh Means—and had been the instant before the shock, employing themselves in securing their horses in the stable. A tree standing at the corner of the stable was struck by the lightning, which passed thence along the logs of the stable, to the opposite corner, where Mr. Hunter was standing.—Esquire Kirk and Mr. Means were both considerably hurt, though neither of them dangerously.

In Coolspring township, the barn of Mr. John M'Millan was struck and burned down to the ground. The exertions of his friends and neighbours succeeded in saving his waggon, windmill, ploughs, &c. but a quantity of straw and hay was consumed. Mr. M'Millan's loss will be considerable.

Philad. July, 4.

On the 27th ultimo, arrived at this port from Cape Mesurado—the Schooner *Hannah*; Lemuel Doughty Master—this is believed to be the first arrival at this port from that new settlement. We understand from Capt. D. that there came passenger in the Schooner one of the Emigrants who was formerly a slave in Maryland, who went to that country for the purpose of settling there; and being now possessed of a comfortable house and farm has returned for his family which he left behind—proposing shortly to take them with himself to the cape—Capt. D. speaks in very favorable terms of the settlement; and expresses as his opinion that there can be no doubt of the ultimate success of the enterprise.

## LEHIGH CANAL.

The first load of coal passed through Lehigh Port lock on Tuesday, the 14th June. The boats laden with about 40 tons, and drawn by one horse, reached us in safety and proceeded on Wednesday morning to Bethlehem. The indefatigable manager, Friend White, was on board, and hundreds of our citizens were assembled to greet him.—*Herald*.

We cannot omit expressing the sincere gratification which we feel in being enabled to announce the near completion of this great and important undertaking. On the 18th. inst. a boat, on its return from Philadelphia, entered the eastern lock. Josiah White, Esq. the indefatigable and enterprising Manager of the Lehigh Coal and Navigation Company, N. B. Eldred Esq. one of the Pennsylvania Canal Commissioners, together with a number of the citizens of this borough, (ourselves among the rest,) had a pleasant ride up the canal. Very little injury has been sustained by letting in the water. The Canal is good, and the works substantial. It is confidently expected, that the canal will be completely navigable throughout the whole line, by the 4th. of July next; and we have no doubt a good and plentiful supply of coal will be carried thereon to market, ere winter sets in.

When we reflect, that this canal of about 47 miles in length, leading to the immense coal region of Northampton county, was commenced in the summer of 1827, and that so important a branch of internal navigation, and one so fraught with interest to the state, has been completed in the short space of two years, we cannot refrain from speaking in terms of praise and approbation of a Company, who by their enterprize and perseverance have turned a barren wilderness into a source of wealth; and who by opening a safe channel for the transportation of a cheap and excellent fuel, the want of which has frequently and recently caused so much distress and suffering among the poor of our cities, in the "freezing time of winter," have done much to promote the comfort and happiness of their fellow-citizens.

*Penn. Argus.*

*MAUCH CHUNK, Wednesday, June 24, 1829.*

We have the satisfaction to inform our friends that Mr. White has returned from his experimental expedition to Trenton and back with one of the Lehigh Co's. canal boats, and that his voyage has been completely successful. The boat was flat bottom—7 feet wide, 84 feet long, and built so as to come to its full bearing when empty. Her draught of water, empty, was four and a half inches. She carried after coming to her bearing, one and one third tons to each inch. The boat was pushed up Trenton and Scudders's Falls by five hands with setting poles, and drawn up all the Falls from the 4 mile ferry to Easton by a horse with great ease. It is believed that a single horse would pull up two such boats at one time at the rate of 20 or 25 miles per day, if there was a good towing path on the side of the river. We consider this experiment (which we believe is the first that has been made to bring boats up to Easton from tide by horse power) as a strong proof of the intrinsic value of the channels of the Delaware, and as a consoling evidence of our boundless outlet for all the trade that can ever pass down Lehigh and Delaware from the coal mines and western and northern parts of this state. We do not wish to be understood as being in the least wavering in our good opinion of the Delaware canal, but that however much we value the channel of the river, we value the canal much more. Boats built on the plan of Mr. White's will pass through the locks and canal of the Delaware, carrying 75 tons, making this canal capable of passing 5,000 tons up and the same down daily.

*Courier.*

We are much gratified to announce that the final letting on the Delaware canal was effected by the state

commissioners at their meeting in Easton on Thursday last—when the dam and locks to be erected at the mouth of the Lehigh, and a feeder to the canal was put under contract. A great part of the work on this canal is now done, and the entire balance contracted for to be finished by the first of January next. We heartily wish the work good speed.

*Ib.*

*Rain and Hail.*—On Wednesday the 17th inst. we had a smart shower of rain accompanied with hail. In Mahony Valley, a few miles below this place, considerable damage has been sustained. One man has had his grain fields almost entirely destroyed, the vegetables in his garden cut up, and fifty panes of glass broken. A lump of ice, of irregular form was picked up by Mr. Hagenbuch, in Lehighton, which measured an inch and a half in width. Report says that hail was seen as large as hen's eggs.

*Ib.*

The man who forsook his couch before four A.M. on Friday last would have seen the grass robbed in a white frost. It appeared very beautiful, but the warm beams of Aurora, when his wanton sway was resumed, soon disrobed it of its wintery habiliments.

*Ib.*

We had just laid down our *composing stick*, on Monday evening, and picked up Poulson of Saturday, when a gentleman stepped into our office; and, handing us papers and letters from Philadelphia of same day, observed,—"if you are in want of a paragraph, here is timber to build one."

And indeed it is well worthy of notice—The proprietors of the Union Line of Mail Coaches have made such arrangements that they start from Philadelphia on Monday, Wednesday and Friday mornings, and arrive at Mauch Chunk on the same day at 7 in the evening.—Leave M.C. the morning following arrival, and sip their tea in Philadelphia the same evening.—And now we consider ourselves at least 30 miles nearer the city.—Who would have dreamed five year since of eating a farmer's breakfast at 4 in the morning at Philadelphia, and supping at Kimball's at 7 P.M. among the highlands of Northampton—promenade our village the next day and visit the mines—be in Philad. on the third—and behind the counter on the morning of the fourth—having seen in the short space of three days what would repay a journey across the Atlantic.—*Mauch Chunk Courier*.

*Canal Navigation.*—The Canal is filled—the canal boats Pioneer and Gen. Lacock, are expected to arrive to-morrow! No event can be more interesting to the people of this city, and those of the adjacent counties, than the announcement of the fact, that the great work is completed, and that the navigation on our Canal has commenced!

It has been a work of immense expenditure and labour, and no man, except he travel the line of canal from Pittsburgh to Blairsville, can estimate or appreciate the patience, the toil, and the perseverance, that have been required in its construction, direction, and superintendence. The locks, the bridges, the aqueducts, the tunnel, and in numerous places the embankments, are of unusual magnitude and permanency—they have cost an immense amount of time, labor, and money. This division of the work is now completed—eighty miles of the Canal is navigable—and it is hoped, that it will realize the best anticipations of the most sanguine, and that those who have so anxiously labored to promote its progress, will now reap the reward of their industry.

*Pittsburgh, (Penn.) June 24.*

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# THE REGISTER OF PENNSYLVANIA.

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NO. 80.

## REPORT ON EXECUTIVE PATRONAGE.

(From the Journal of the Senate of Penn'a.)

Monday, March 25, 1822.

Mr. Hill, from the committee to whom was referred on the 13th of December last, an item of unfinished business, relative to the power of making appointments to office, by the governor, made report, which was read as follows, to wit:

That they have given the subject matter referred to them a deliberate consideration; that they have in their deliberations found it necessary (in order to form an intelligible report) to carefully examine the provisions of the constitution of 1776, or, at least so far as those provisions relate to legislative & executive power & prerogative.

That instrument being the original source or first declaration of state sovereignty—the declaratory foundation upon which all our state rights are built—the first fundamental charter of our state liberties, and the original fountain from which all delegated power in this commonwealth emanated;—an intimate knowledge of its provisions, as well as a knowledge of the constitution of 1790, is indispensably necessary to the formation of a clear, correct and comprehensive idea of the powers which are now constitutionally invested in the executive. Your committee have been thus particular, because they are fully apprized, that all powers wheresoever vested by the constitution, must so remain, until the people shall think proper to resume the powers thus vested, and retain them or vest them elsewhere. Your committee are also decidedly of the opinion, that all and every power and prerogative claimed or exercised by the governor, as well claimed as exercised by any other officer of the government, which are derived from any source other than the constitution, are fair and legitimate objects of legislation.

"All power is inherent in the people, and all free governments are founded on their authority;" therefore, it is incompetent for any officer of the government to assume the exercise of any official power which has not been vested in him by the constitution, or by the legislature; that being the only body known to our form of government, that is vested with the law-making power. Hence the necessity in this important inquiry, of a critical investigation of all the constitutional provisions which in any way relate to executive patronage: and also of the several acts of the legislature, which have been passed at different times for the purpose of explaining, extending or increasing the same. All of which constitutional provisions and acts of the legislature shall be duly noticed in their proper places.

The 9th section of the 2d chapter of the constitution of 1776, vests in the general assembly the "power to choose their speaker, the treasurer of the state and their other officers;" The 20th section of the same chapter, provides that "the president, and in his absence, the vice-president, with the council, five of whom shall be a quorum, shall have power to appoint and commission all judges, naval officers, judges of the admiralty, attorney general, and all other officers, civil and military; except such as are chosen by the general assembly or the people," under the broad and indefinite expression contained in the 9th section above quoted, "their other officers;" and the very indefinite exception from the executive appointments, in favor of the general assembly,

contained in the 20th section, viz. "except such as are chosen by the general assembly or the people."—The general assembly did, for some years, claim and exercise not only the power of creating offices, but also the prerogative of appointing the officers; except those appointments specially given to the supreme executive council.

The extensiveness of the appointing power thus exercised by the general assembly, was much complained of by the members of the executive council. But the general assembly, notwithstanding those complaints, continued to create offices, and to appoint officers in such manner, and at such times as in their own opinion was best calculated to promote the public weal, until the meeting of the council of censors in 1783. That council of censors, among other things, recommended to the general assembly, the passage of a law dividing the appointments thereafter to be made, between the supreme executive council and the general assembly, pursuant to which recommendation; the general assembly did, on the fourth day of April, 1785, pass an act, prescribing the appointments to be made by the general assembly, and vesting in the executive council the appointment of all other officers, whose appointments were not otherwise provided for by the constitution. But it must be borne in mind, that this law is only an act of the general assembly, and like all other legislative acts, is liable to legislative alteration, revision or annihilation, at any time, when a succeeding legislature, from different views of the constitution, from different notions of public policy, or from different ideas of the wishes of the people, shall deem it to be necessary and proper so to do.

The committee have had, among other documents referred to them, a letter from the secretary of the commonwealth, containing much information on the subject of executive patronage. This letter attached to this report, marked A, is an answer to a call made upon that officer, at the last session of the legislature, by a committee appointed for the purpose of ascertaining the governor's powers to appoint officers, and the different channels through which those powers have been obtained. This intelligent, venerable and candid statesman, relies on the eighth section of the second article of the constitution of 1790, the law above referred to, several acts of assembly of subsequent date, and on common law principles, to justify the governor in the extent of patronage, which he at present exercises. So far as the governor's powers are vested by the constitution, they must remain unimpaired.

But we presume, that however long the governor may have exercised the power of appointing to office, by virtue of any statute, or common law principle, that the powers thus claimed and exercised can at any time be reclaimed by the legislature, and otherwise disposed of, whenever they shall deem a change necessary and expedient. Official powers vested in any officer by the legislature, may, when the public good requires it, be also divested by the legislature.

The peculiar business of legislation, is to pass laws for the regulation and guidance of all who are concerned in the administration of the government, and the benefit of the people. Common law is an auxiliary to statute law, and is only to be called upon in cases not particularly provided for by the statute. Those official powers, which are vested by act of the legislature and

common law principles only, are not constitutional powers, and therefore fit objects of legislation.

We now proceed to the examination of the only constitutional provision relied on by the advocates of executive patronage: it is contained in the 8th section of the 2d article of the constitution of 1790. By this article the governor is authorised to "appoint all officers whose offices are established by this constitution, or shall be established by law, and whose appointments are not herein otherwise provided for." Preparatory to the construction of this provision of the constitution, it may not be improper to take a review of long established and well settled principles of construction in all cases relative to vested rights. In every case where individual rights are legally and absolutely vested, they are supposed to remain secure and unimpaired, until it can be clearly and conclusively shown, that those rights have been expressly transferred. While your committee entirely approve the cautionary and scrupulous manner in which a transfer of individual rights is examined and decided upon, they earnestly, though respectfully, recommend to the legislature, in construing the powers delegated by the constitution, at least to use as great caution and strictness in favor of the rights of the great body of the people. It is not only acknowledged by all republican politicians, but it is also positively declared by the constitution, "that all power is inherent in the people." It is therefore incumbent on every officer of the government, and agent of the people, who claims to have been invested by the constitution with the exercise of any power, to show that such power has been expressly vested in him by the constitution: if he fail to do this, it would be great remissness in the legislature, (who are the immediate agents and representatives of the people,) to indulge him, contrary to the public interest, in the exercise of a doubtful power.—History affords us abundant proof, that the great danger to be apprehended, as well in republican governments as all others, is the engrossment of power by a few, and its exercise by them, to the injury of the many. Usurpation is the very marrow, the bone and the sinew of despotism—assumption freely indulged in by an individual, and quietly acquiesced in by the people, will, in time, bring upon the community, all the poisonous effects of usurpation in its most terrific form.

But to return to the words of the constitution of 1790, which are relied on by the friends of executive patronage, as justifying the executive in the extent of the appointing power, which he has been in the exercise of: "He shall appoint all officers whose offices are established by this constitution, or shall be established by law."

Is it reasonable to suppose, that the convention in speaking of the offices established by this constitution, had reference to offices which had long before been established, and the incumbents whereof, had long been aiding in the labours of the government? The correctness of such a construction, when viewed in connection with all the circumstances which are connected with this provision of the constitution, might well be doubted. The isolated word **ESTABLISH** is significant of, *found, erect and confirm*; as well as, *to settle and fix firmly* that which has been founded and erected. It would appear that the former of these two constructions, is the sense in which the convention had used the word *establish* in the constitution; because it is used in connection with "shall be," evidently referring to offices that might "be established by law" subsequently to the confirmation of the constitution, and had, beyond question, in view the appointment of officers to fill offices thereafter to be created and confirmed. But your committee in drawing their conclusions of the sense in which the convention used the word "establish," do not rely wholly, nor indeed so much upon the definition it bears, even as used in connection with the words "shall be," as they do upon other important facts which have a direct bearing upon the construction given to this provision of the constitution, by the friends of executive patronage.

It appears by a full examination of the constitution of 1790, and of several acts of the legislature, passed immediately thereafter, that the convention have expressly vested such power of appointment in the executive, as it was intended he should absolutely exercise; and also have expressly vested in the general assembly, such appointing power as was designed to be absolutely exercised by that body, leaving the appointment of officers not specially provided for, to be regulated (as had before been done,) by act of the legislature. Constitution, Art. 5, Sec. 4, "he *shall* appoint in each county, not fewer than three nor more than four judges, &c."—Same Art. Sec. 10, "The governor *shall* appoint a competent number of justices of the peace," &c. Art. 6, Sec. 5, "The state treasurer *shall* be appointed annually by the joint vote of the members of both houses," &c. In those cases the convention left nothing to the discretion of the legislature, nor even to the people, during the continuance of the constitution, however great the progress of information and political knowledge might be among the citizens in future times. But your committee trust, that they will be able to convince every candid, intelligent, unbiassed mind, that all appointments, not *specially* provided for in the constitution, were intended by the convention to be left to the future regulation of law. The constitution was done in convention, the second day of September, one thousand seven hundred and ninety; and on the 7th day of December next following, the general assembly convened pursuant to the provisions of said constitution. In this legislature, there were 14 members, who had been members of the convention; combining as much general information, as much political knowledge, and as great a quantum of integrity, as we ever have seen, or ever expect to see our general assembly adorned with, in an equal number of members.

This opinion will be responded by all who are acquainted with the public characters and private virtues of those gentlemen—their names we insert in the following alphabetical order, viz: James Boyd, John Breckbill, Lindsey Coates, William Findlay, Albert Gallatin, John Gloninger, Sebastian Graff, Joseph Hiesler, John Hoge, Thomas Jenks, James M'Leane, Thomas Mawhorter, John Sellers, John Smiley. The above facts are stated, and the names of those gentlemen are introduced for the purpose of showing what their opinion was respecting the powers that had been vested in the governor, by the constitution, as near as can be judged of by the enactment of various laws while they were members of the legislature; and the significant language made use of in those laws. It will be proper, however, before we proceed to an examination of those laws, to state that Thomas Mifflin, (the president of the convention) was declared to be duly elected governor of this commonwealth, on the 18th day of December, 1790. That on the twenty-eighth day of the same month he addressed a message to the legislature, inviting the attention of the members to certain important duties, requiring their immediate attention under the new structure of the government.

In detailing at considerable length, the objects of most pressing necessity, the governor observes, (Journal of the House of Representatives of that session, page 46,) "as to the laws, which require an immediate revision, on account of the new structure of our state government, you will find that they principally relate to the exercise of the executive authority under its former modification." After specifying many official duties that were to be performed by the executive authority, under the former modification of the government; the message remarks: "In short, to the president and executive council, so great a variety of appeals and reports were directed to be made—by them so great a variety of commissioners and other officers were to be appointed for specific services—before them, so great a variety of official qualifications and sureties were to be taken—and on them the superintendence of so great a variety of pub-



lic objects devolved, that a particular recapitulation would, at this time, be impracticable." It will be observed, by an examination of the above extracts from governor Mifflin's message, that he in a particular manner notices the great power of appointing officers that had been vested in the executive authority, under the former structure of government, to regulate the exercise of which power thereafter, legislative interposition was immediately necessary; consequently, in the opinion of the governor, the power of appointing many of the officers which had been vested in the executive authority under the former structure of government, had not been provided for by the constitution; and were purposely left to the future regulation of law, in such manner as propriety and experience should dictate.

Your committee are fully apprized, that some of our state politicians are disposed to give the most liberal and extensive construction to delegated powers, that the words of the constitution will possibly bear; while they construe in the most scrupulous and limited manner, those powers which are reserved by the people, or (which is the same thing,) the powers that they have not delegated. The anxiety with which some people labor in this cause, is much easier seen, than accounted for. Will they in this case attempt to say, that the governor was ignorant of the extent of those provisions of the constitution, which had vested the powers that had been formerly exercised by the executive authority, in the governor? Will it be said by them, that the governor in this case, was unadvisedly calling on the legislature to provide by law for the exercise of powers, that had been previously provided for by the constitution? Charges of this kind may be made, but among persons free from bias, and being acquainted (as most Pennsylvanians are) with the accuracy of his discernment—the soundness of his judgment—the independence of his sentiment, and the extent of his political information, they will fall lifeless to the ground, as fast as they can be uttered.

The character of governor Mifflin stands too high to be tarnished by an allegation, that in the year 1790, he was unacquainted with his duties as governor of the commonwealth—that he was ignorant of the powers which had been vested in the executive by the constitution, which instrument he had so shortly before, not only assisted in the formation of, but also, was president of the convention, who had conceived, moulded and given to it their final finish.

A committee was immediately appointed, to arrange the subject matter of the governor's message, from which the above quotations have been taken, and on the 30th day of the same month made report. In detailing the subject matter of the address that required the immediate attention of the legislature, the report says: "That part of the address which enumerates the powers formerly vested in the president and supreme executive council, and which now cease to be operative, your committee conceive ought to be referred to a committee to bring in a bill for the purpose of transferring those powers generally to the governor, until the end of the present session, in order to answer the immediately pressing exigencies, until the legislature shall have leisure to enumerate and define the executive powers with more precision." A committee for this purpose was accordingly appointed, a bill reported, and became a law, by receiving the signature of the governor on the 14th day of January following, which law is in the words following, viz:

"An act for transferring certain powers exercised by the late president and supreme executive council, to the governor of this commonwealth."

SECT. 1. Whereas by the present constitution of this commonwealth, the executive powers of government are vested in the governor, and it is proper and necessary, that such laws as directed any duties to be performed by the former executive authority of this state, should be made conformable to the new organization of the powers of government.

Therefore,

SECT. 2. Be it enacted by the Senate and House of Representatives, of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all and every duty, which by any of the laws of this state, was directed to be done and performed by the president, or by the president and supreme executive council, not inconsistent with the constitution of this commonwealth, and not otherwise directed by the act passed in the present session, entitled "An act for instituting a board of property, and for other purposes therein mentioned," shall be executed by the governor of this commonwealth; and that every of the laws relative to the duties first herein before mentioned, shall be, and they are hereby so far forth, and no further, repealed and made void: *Provided nevertheless*, That this act shall continue in force until the end of the present session of the General Assembly, and no longer."

So tenacious was that legislature of the rights of the people; so well did they know that the constitution had not vested the powers which had been formerly exercised by the executive authority in the governor; and so well were they convinced of the propriety of vesting them elsewhere, as soon as the legislature should "have leisure to enumerate and define the executive powers with more precision," that when legislating on this subject, "to answer the immediate pressing exigencies," they only vested those powers in the governor to the end of that session. But it appears that the legislature did not at that session, obtain "leisure to enumerate and define the executive powers;" therefore, on the thirteenth day of April, 1791, (in the same session) a law was passed, similar in substance, and varying but little in form, by which act, the powers that had been formerly vested in the supreme executive council, were vested in the governor, "until the end of the next session of the general assembly, and no longer." This temporary law was continued in force, by temporary extensions, until the 22d day of April, 1794, at which time it was re-enacted without limit or duration of time, as almost every other law is.

The above fact shews most clearly and conclusively, that the general assembly in each of the sessions referred to, were fully confident, that the powers which had not been expressly vested in the governor, by the constitution, still remained with the people to be disposed of, and regulated by law, in such manner as prudence and experience should dictate. Any other conclusion would be a direct charge of the grossest ignorance of the provisions of the constitution, in the legislature of 1790-91 and those who annually succeeded them, up to the session of 1795-96 inclusive; as well as in the governor, who had in his message called the attention of the legislature to the necessity of providing by law, for the exercise of the powers which had formerly been vested in the executive authority, and which had not been provided for by the constitution.

A charge of this kind your committee are not prepared to make, nor do they believe (when it is recollected, that besides the fourteen members who had assisted in framing the constitution, there were many others, of eminent talents and well versed in political and legal knowledge,) that any informed persons will have the hardihood to charge those different assemblies with being ignorant of the constitution, and of doing a work, year after year, of supererogation.

William Bingham, was speaker of the House of Representatives, at the passage of the first law, and Richard Peters, speaker of the Senate. Richard Peters's natural talents, his literary acquirements and his legal knowledge, have procured for him the confidence of the Union, and the situation of a Judge of the United States Court, for the eastern district of Pennsylvania: in the discharge of which duties, he has reflected much honor on himself, and great credit on the bench. Many others who served in these sessions, have richly merited the

highest encomiums; but your committee forbear to say any thing further on this point.

The opinions\* of Jared Ingersoll, Alexander J. Dallas and Thomas Elder, Esqrs. on the subject of appointments to, and removal from office, remain to be examined. The two former gentlemen have argued the case at some length, and although they do not positively say, that the exercise of all power not specially provided for by the constitution, is, by the nature of our system of state government, constructively vested in the executive; yet from the manner in which they have discussed the subject it would appear that such were their views of the constitution. This view of the subject would be indisputably correct, *provided*, the natural original power of appointing all officers was inherent in the governor; for this plain reason, that wherever right or power is naturally inherently vested, it must and does naturally remain, until it has been voluntarily divested, by him or them in whom it was originally and naturally vested.

The basis of all republicanism is, that all power is inherent in the people, and consequently remains in them, until they, by their free and voluntary act do delegate their power to some person or persons to be exercised for their use and benefit. That the people have delegated their power, must be clearly and unequivocally shown by those who claim the possession of them, before they can be justified in the exercise thereof, by the friends of freedom. Again, these two gentlemen lay it down as a political maxim, that the power to remove, is a necessary incident to the power to appoint. In this opinion also, your committee beg leave to differ from the learned gentlemen, as well as from all others who attempt to support this doctrine. From what has already been said, it will be seen, that whatever powers of appointing to office, the governor may be vested with, have been delegated to him by the people, or by their immediate agents, to be exercised, not for his, but for their benefit: to discharge the duties of this delegation is not a matter of personal choice, but a matter of official duty, therefore ministerial. But to remove at pleasure, is the height of despotic tyranny—the two principles are as opposite as the poles, and can no more be incorporated into the same political principles, than the most bitter, abject tyranny, can with the purest and most rational unrestrained political freedom.

The constitution provides only two methods of removing civil officers—one by impeachment, the other, by address—the former of which depends entirely on the general assembly, and the latter so far as to form, agree to, and present the address to the governor, who may, or may not comply with the request therein contained. But, it is not any where in the constitution, recognized that the governor, may remove any officer at pleasure. The latter gentleman, "assured the committee, that he knows of no appointment to, or removal from office by any governor of Pennsylvania, since the adoption of the present constitution, which, in his opinion, was not constitutional." Your committee, however, cannot resist the idea, that this learned gentleman has in the formation of his opinion, adopted what they believe to be a very common course, viz he has yielded his judgment, in this case, to the common prevailing opinion, without having strictly examined all the facts necessary, to a full understanding of the subject.

Your committee, in this place, would merely observe, that the legislature so far from leisurely enumerating and defining the executive powers with more precision, (as was proposed by the first report made on the subject) have been extending the powers that were vested by the constitution, in such manner, that the executive department does at this time exercise a patronage to an extent, unknown in any other state of the union; and (as your committee verily believe they have clearly shown) inconsistent with the fundamental principles of our state government. Your committee will not at-

tempt, nor is it necessary to draw a fanciful figure, or give an exaggerated view of the extent of executive patronage; but they hope that they may be permitted to state, what is the undeniable fact, viz. that the officers in the appointment of the governor, who are removable at his pleasure, (agreeably to the construction given to the constitution, by the advocates of executive patronage,) are in the annual receipt of

thousand dollars.

What would the people say—What would the legislature think—were the friends of executive patronage, to propose to give the governor the annual sum of

thousand dollars to secure his popularity with?

Would they not all revolt at the idea? Would it not be said with much propriety, that an artful, intriguing governor, with that sum at command, for this purpose, might commit many acts of tyranny and oppression, and still have it in his power to stifle investigation, and continue his popularity, while he continues his office, by the liberal distribution of presents? Such suspicions would doubtless be abroad among the people, were it attempted to appropriate. Yet that sum, in money distributed for that purpose by donations, in the most advantageous manner, could not so effectually shield a person's character, or secure his popularity, as a politic distribution of the numerous offices in the gift of the governor, would do; because, every person who would receive a fee from the governor, to spread abroad and exaggerate his virtues, to conceal, deny and extenuate his vices, would be viewed, not only with suspicion, by the public, but with real contempt by all who knew the fact. The case is very different with officers who are appointed by the governor; instead of detracting from, it adds to their respectability; instead of lessening their influence, it gives it a more extensive range; instead of preventing them from, it enables them more effectually to support the character of the governor, to whom many of them are as completely devoted, as they possibly could be, were they paid by the year for their services.

Your committee have spoken plainly and freely on this subject; *because*, under all the circumstances of the case, freedom and plainness appeared to them necessary but they do not wish to be understood as attaching blame to any particular person. The gigantic growth of executive patronage, can be easily and rationally accounted for without individual condemnation. It is in some degree owing to the principles of our government, as well as to human nature generally. The governor is elected for three years, and may when elected, look around him with the purest intentions, to see what powers he has been vested with, that can be called into operation for the benefit of the people, and the advancement of his own character, a matter never lost sight of, nor should it ever be; but we often mistake the means that will lead us to the end. He meditates, reflects and fancies public advantages, and enquires whether he has within his power the means to promote them. If he has any doubts in his own mind, of his powers to provide a salutary remedy in the case, he takes the council of learned and influential friends, by whom from the nature of his situation, he is generally surrounded.

Those friends may very probably have a greater personal interest in an extensive executive patronage, than the governor himself has; consequently the greatest possible range of construction is given to his powers.—If this was only to happen once, during the continuance of the constitution, the danger to be apprehended would not be so great; but every new case produces a new cause for construction; and every new governor has a new set of advisers. In this way, executive patronage has been swelled and extended to the enormous size in which it now exists. Very different is the case with the legislature, many of whose members are elected to effect some particular local objects, which employ their whole attention, during the session, at the end of which, they return to their constituents perfectly satisfied with having effected the purposes for which they were elected.

\* See Nos. 1, 2 and 3, attached to this report.



The next legislature is composed of members who were elected with similar views—so one session passes after another—and although composed partly of different materials, the labours are very near the same, viz. each member is most anxious to promote the views and interest of his own immediate constituents; and in the bustle of local business, each succeeding session passes off with but little attention to matters that might possibly at some remote period, affect the political relations of the state at large. This view of the subject presents a case, fit for the application of the old adage, "that, what is every body's business, is nobody's business;" meaning that matters of general interest are apt to be neglected, because no one individual feels sufficient personal interest to invite his particular attention to the case, and each one satisfies himself with the idea that other persons are as deeply interested in the matter as he is, & consequently as much bound in duty to attend to it, as he is; and as for himself, he must and will (for the present at all events) apply his time and talents, to effect some particular matters in which his particular constituents and himself have a deep and lasting interest; to effect which, was perhaps, the principal inducement to elect him to the legislature. Owing to these causes, questions that are general in their nature, though of great importance, are almost inevitably overlooked.

To condemn this practice, would be declaring war against ourselves—against all the human family—it is in our nature to attend first to our own particular necessities and advancements. But the case before us, nevertheless shows the necessity of a vigilant watchfulness on the part of the people, over their own concerns, which, if neglected too long, may bring much difficulty upon them.

That the people who are always jealous of their rights, have so long permitted executive encroachments, is quite as easily accounted for.

The science of government, though the noblest invention of man, is no where taught in our country: nor any science connected therewith; that of the law only excepted. And this honourable profession is but a deduction from governmental science; the votaries whereof may enjoy all the honors and advantages of the profession, without paying the least attention to any of the branches of government, other than the administration of the law: nor does the professional duties of this class of gentlemen, require them to become the videttes of the people's rights, or call upon them to volunteer their services as the sentinels and safe-guard against executive encroachments. Nor is it to be expected that the citizens, whether professional or otherwise, will enter into, and produce a correct and general analysis of the constitution, pointing out the particular powers that properly belong to, and the particular duties to be performed by the different departments of the government, and the several officers of the state.

After bringing into view the difficulties that questions of this kind seem to be involved in, it would be natural to ask, where a redress for such grievances, is to be had? Notwithstanding the difficulties and embarrassments, that such a question must under common circumstances be surrounded by on account of the urgency of local concerns, and other matters more generally understood, which the citizens press upon the legislature; the answer must be: In the legislature; in them the constitution has vested the power to pass laws for the general good; and they must, when necessity requires, exercise their constitutional powers in general cases, although every local matter should be thereby neglected for a time.

Your committee are aware, that they have all the prejudice of custom to oppose, and the interest of the executive adherents, and those who hold offices under him; to convince all of whom, the limited bounds of a report of this kind, is entirely insufficient; their only hope is to convince the unbiassed, that the positions

they have taken, and the conclusions which they have drawn, are in accordance with common sense, and with the true principles of our constitution. They therefore, offer the following resolution:

THAT it is constitutional and expedient to provide by law for the election or appointment of an attorney general, and the necessary number of deputies to prosecute in behalf of the commonwealth, in the several counties, an auditor general, a secretary of the land office, a surveyor general, and the number of deputies necessary to do the surveying in the several counties, prothonotaries, registers and recorders, clerks of the courts of general quarter sessions of the peace, of oyer and terminer and general jail delivery and orphans' court—prescribing, in such law, the length of time each officer shall hold his office, provided he shall so long behave himself well.

*Documents referred to in the preceding Report.*

(A)  
*Office of the Commonwealth, }  
Harrisburg, Feb. 19, 1821. }*

REES HILL, Esq.

SIR—I have now the honor of enclosing herein such information, as is in my power, touching the subject matter of the preamble and resolution, referred to me by the committee. I perhaps owe an apology to the committee, for the delay in making the communication; but I trust they will see a sufficient cause for it, in the frequent interruptions arising from attention to other official duties.

With very great respect, I have the honor to be  
Your and the committee's most obdt. servt.

ANDREW GREGG.

THE honorable Messrs. Hill, Raguet and Eichelberger, the committee to whom were referred a preamble and two resolutions, authorising them to call on the secretary of the commonwealth and attorney general, for any information in their power to give, touching the subject matter of said preamble and the first resolution.

The undersigned in endeavoring to comply with the terms of the propositions contained in the preamble and resolutions, submitted to him by the committee, would remark, in general, that he presumes there can be no diversity of sentiment among the people of this country, respecting the importance of all being made acquainted with the principles of the government, and with the public acts of all who have any agency in its administration. That the great power with which the governor is invested by the constitution, renders it peculiarly necessary, that his public conduct should be watched with vigilance, is a subject in which it is also believed, there is a general, perhaps a universal concurrence of sentiment. To preserve the permanency and purity of their government, the attention of the people should always be on the alert, to guard against any unconstitutional usurpations in any of its departments.

By the 8th section of the 2d article of the constitution, the governor is invested with power to appoint all officers, whose offices are established by the constitution, or that shall be established by law, and whose appointments are not therein otherwise provided for. Under this general power, the governor has, ever since the commencement of the government under the present constitution, been in the regular habit of appointing all officers, whether immediately designated by it, or whose offices were made by law conformably to its provisions. It is not known in this department, nor have any records been discovered to show, that any governor has exceeded his constitutional limits in the exercise of this power.

It may not be considered irrelevant in this inquiry, to refer to the constitution of this state which was adopted on the 28th day of September, 1776, and the practice of the government under it. By the 9th section of that constitution, it is declared, that the general assembly

shall have power to choose their speaker and other officers, and the treasurer of the state. By the twentieth section, the supreme executive council was vested with power to appoint and commission judges, naval officers, judge of admiralty, attorney general, and all other officers, civil and military, except such as are chosen by the general assembly and the people, agreeably to that frame of government, and the laws that might be made thereafter; and also supply any vacancies that might be occasioned by death, resignation, removal or disqualification.

It appears that the assembly prior to the meeting of the council of censors, in 1783, had created some offices, and appointed the officers to execute them, in the same acts by which the offices were created. This was censured by the council of censors, as an unwarrantable encroachment on the constitutional rights and powers of the executive, and an act was passed on the 4th of April, 1785, in conformity with the decision of the council of censors. The 2d section of this act designates particularly the officers to be appointed by the assembly, and declares the appointment of all other officers necessary for the execution of the laws, to be vested in the supreme executive council, with the exception of such as were specially reserved to the people, or plainly directed by the constitution to be otherwise chosen or appointed. There is no evidence of any subsequent interference with the executive council in the exercise of its power of appointment, during the continuance of the government under that constitution.

On the organization of the government under the present constitution, an act was passed on the 14th of January, 1791, directing that all and every duty which by any of the laws was directed to be done and performed by the president and supreme executive council, not inconsistent with the constitution, nor otherwise directed by an act for instituting a board of property, should be executed by the governor. By an act passed on the 13th of April, 1791, it was enacted, that in addition to the powers vested in the governor, by the constitution, he should have and exercise all the power that by any law or laws was vested in the supreme executive council, or in the president or vice-president thereof, unless the same should be vested in some other person, or be inconsistent with the provisions of the constitution. This power was continued by various subsequent acts, passed on the 21st of September, 1791—on the 28th March, 1792—on the 11th April, 1793—and on the 22d April, 1794. Any further progress of these acts has not been pursued; it seeming to be understood that, by these various enactments, the exercise of that power had acquired the force of common law, no question having ever been made, as far as it is known here, of its incompatibility with the constitution or the laws made under it.

A reference to these acts is made to show, that if any appointments not specially designated in the constitution, nor by law, but rendered necessary by the circumstances of the case or the common consent of the people, were made by the supreme executive council, such power now is legally vested in the governor. It is not however intended by this to insinuate, that there are any such offices, or that any such appointments have been made. It is acknowledged that no special act has been found, establishing the various officers of courts of justice, with the exception of judges, and those that are elected by the people; but they are all recognized in the third section of the sixth article of the constitution, and in all the various acts of assembly, establishing courts. When the constitution says, that prothonotaries, clerks of the peace, &c. shall keep their offices at a particular place, it is a constitutional acknowledgment or declaration that such offices do exist, and that there must be officers to fill them. The power of appointing these officers, is of course vested in the governor, under his general power of appointment, agreeably to the eighth section of the second article of the constitution before quoted.

The second act passed by the assembly, under the constitution of 1776, was to revive and establish courts of justice; and among the first acts of the executive council, was the appointment of prothonotaries, clerks of sessions, of orphans' courts, registers, &c. The power of making these appointments, was vested in, and exercised by the supreme executive council, until the change of government took place; and that power having been transferred to the governor by various acts of assembly, as herein before recited, may be considered as legally vested, even had it not been so expressly given him by the constitution.

This description of officers, with all others, the manner of whose removal from office is not pointed out in the constitution, have been considered removable at the will of the governor, and the tenure of their appointments has invariably been so expressed in their commissions, that they were to hold till their commissions were revoked by the governor, or by other lawful authority superseded or annulled. The power of removal from office appears incident to the power of appointment, and was exercised by the supreme executive council, under the constitution of 1776, and by each succeeding governor of the state, under the present constitution.

It is presumed, the committee will not require the enumeration of a multiplicity of cases, to evidence the general exercise of the right of judging, and power of removing. A reference might be made to many instances, in which it has been applied to officers in the various departments of government. A few will be selected to show that such has been the practice.

The person who held the offices of prothonotary, clerk of the sessions, and oyer and terminer, in Huntingdon county, was removed by a resolution of the supreme executive council; and by a subsequent resolution, the same person was removed from the office of clerk of the orphans court. The receiver general of the land office was removed by the first governor of the state, and this was such a noted instance, and excited so much interest, that it is still fresh in the recollection of those who were conversant in the affairs of the state at that time. Early in the administration of the second governor, the inspector of flour in Philadelphia was removed. This, it is believed, is the first case in which the power of removal was disputed. The question was referred to Messrs. Ingersoll and Dallas, and a statement of the case, with their opinions, is hereto annexed. Removals since that period have been more frequent. A surveyor general has been removed, a recorder of deeds has experienced the same fate, and the list might be swelled with the cases of auctioneers, inspectors, prothonotaries, &c. &c. There is no evidence in this office, to show, that any legal opposition has been made to any of these removals; but it may not be improper to mention a report, to which common fame has given currency, that a question recently arose on the removal of the inspector of salted provisions, in Philadelphia. and was decided by the supreme court, that the power, as exercised, was constitutionally vested in the governor.

The undersigned has not been able to discover any alteration; that in his opinion, might be constitutionally made in appointments to, and continuance in office now in the gift of the governor. His power is general, with the exception of the cases mentioned in the constitution. Whether he is the best depository for that power, is a very different question, and one on which he should feel great delicacy in giving an opinion. The different modes, adopted by the different states, of the trust and exercise of that power, furnish a very striking evidence of the difficulty of settling the question. It is certainly a very important trust to be committed to one man; and yet we find that complaints of abuse have, perhaps, been heard in every government that has had recourse to plural executives, as a security against the evil. It is yet in the recollection of many, that dissatisfaction with the executive council of the constitution of 1776,

produced that under which we now live; and so strong did the current then run in favour of a single executive and individual responsibility, that no arguments could prevail in favour of a division of the power, or securing against its improper exercise, by subjecting his appointments to some concurring department of government. Universal experience proves the importance of a watchful eye being kept on this power, wherever it is placed. The vigilance and virtue of the people, are the best security against its abuse.

Having given this general view of the subjects embraced in the preamble and resolution, such a detailed statement is now presented of offices and appointments, as appear more especially to have been intended by the resolution. It was thought it might be desirable to the committee to have all the offices with their different tenures before them in a single view.

Appointments by the governor, and for what period of service, with reference to the authority under which they are made, that is to say:

*Secretary of the Commonwealth*, during the governor's continuance in office—See 15th Section of the 2d Article of the constitution.

*Judges of the Supreme Court*, during good behaviour.

*President Judges* of the courts of common pleas in the several judicial districts of the commonwealth, during good behaviour.

*Associate Judges* of the courts of common pleas in the several counties of the state, during good behaviour.

*Additional Judges* of the district court of the city and county of Philadelphia, see acts of assembly of the third of March, 1811, and the 13th of March, 1817, for the term of four years.

*Associate Judges* of the same court, by the same act, for the same period.

*Additional Judges* of the district court of the city and county of Lancaster: see acts of assembly of the 27th of March, 1820, for four years.

*Attorney General*, during pleasure.

*Clerks* of the supreme courts in the several districts, during pleasure.

*Prothonotaries* of the courts of common pleas, and Clerk of the orphan's courts, general quarter sessions of the peace, and of oyer and terminer and jail delivery, holden by the judges of the court of common pleas, during pleasure.

*Clerks* of the mayor's courts in the cities of Philadelphia, Lancaster and Pittsburg, during pleasure.

*Recorders* of the said several cities, during good behaviour.

*Aldermen* of the said cities, during good behaviour.

*Justices of the Peace* in the several counties, during good behaviour.

*Sheriffs and Coroners* in the several counties, for three years.

*Recorders of deeds* in the several counties, during pleasure.

*Notaries Public*, during good behaviour: see act of assembly of March 5th, 1771.

*Interpreters of Foreign Languages*, during pleasure.

*Secretary of the Land Office and Surveyor General*, for three years, removable from office by the governor on the address of both houses of the legislature. See act of the 29th of March, 1809, volume 5, Smith, page 48.

*Auditor General of Accounts* for a like period, and removable in like manner. See act of the 30th of March, 1811, 5th volume, page 237.

*Auctioneers*, the president and council to appoint three during pleasure, volume 1, page 509, 23d September, 1780.

The appointment of a fourth Auctioneer, authorised by act of assembly of the nineteenth of March. See 2d volume, page 481, during pleasure.

The appointment of two additional Auctioneers authorised by act of assembly of the twenty-seventh of March, 1790; same volume, page 520, during pleasure.

The appointment of an auctioneer for the sale of horses, cattle and carriages, within the city of Philadelphia, authorised by an act of assembly of the tenth day of April, 1799; volume 3, page 379, during pleasure.

The appointment of an auctioneer for the sale of books, stationary, paintings and prints, within the city and liberties of Philadelphia. See act of assembly of the 25th January 1816; during pleasure.

The appointment of two auctioneers, in and for the city of Pittsburg, authorised by acts of assembly of the 28th of March, 1814, page 307, and the 22d March 1820, page 90; during pleasure.

*Inspector* of beef and pork, shad and herring, by the governor, during pleasure. See volume 1, page 170; volume 2, pages 476, 498; volume 3, page 258; volume 1, page 418; volume 5th, page 121.

Of staves and heading, boards, plank, timber and shingles: volume 1, pages 222, 277; volume 2, page 528; volume 3, pages 258, 268, 314; volume 5, page 147; volume 2, page 505; during pleasure.

*Inspector* of flour in and for the city and county of Philadelphia, volume 1, pages 528 and during pleasure.

Of flour for the Western counties, volume 3, page 52, during pleasure.

Of butter and hogs lard, volume 4, pages 104 and 404, during pleasure.

*Inspector* of ground black oak bark, volume 4, page 194, during pleasure.

Of gunpowder, volume 3, pages 240, 498, during pleasure.

Of salted fish in the towns of Columbia and Pittsburg.—

See act of the 25th February, 1818, during pleasure.

*Measurer* of corn and salt, lime and coal, 2d volume, pages 350, 441, and 442, during pleasure.

*Superintendent* of the gunpowder magazine, 2d volume, pages 402, 403, and 404, during pleasure.

*Register* of German passengers, volume 2, page 329, during pleasure.

*Gaugers and Inspectors* of domestic distilled spirits; two to be appointed, during pleasure; act of 14th March, 1814, page 100.

*Keeper of Weights and Measures and Sealer of dry measures*, different officers, during pleasure, to reside in the city and county of Philadelphia; volume 1, pages 18, 19, 44.

*Port Physician, Lazaretto Physician, Health Officer and Quarantine Master*, may be removed from office by the Governor at the request of the members of the board of health, or a majority of them; volume 4, page 304.

*Master and Assistant Wardens* of the port of Philadelphia, for one year.

Very respectfully, I have the honor to be,

Gentlemen, Your obedient servant,  
February 19th, 1821. ANDREW GREGG.

[1]  
[CASE.]

Thomas Mifflin, Governor of the Commonwealth of Pennsylvania, executed a commission under the state seal, dated January 14th, 1799, to James Reed, as Inspector of bread and flour for the city and county of Philadelphia, to hold said office for the term of four years, if he should so long behave himself well. The period of Governor Mifflin's administration terminated

on the 16th day of December, 1799, by effluxion of time, and Thomas M'Kean was the next day proclaimed Governor.

*Question.* Does the above commission continue in force for the term of four years, or did it determine with the power of the Governor? See first volume Pennsylvania Laws, 889, section 19.

I am clearly of opinion that the commission of Mr. Read may be superseded at the pleasure of the present Governor. The Legislature might create the office, the constitution ascertain the terms of the commission.—Governor Mifflin could not give the appointment, except in the manner prescribed in the constitution; and this officer is not one of the enumerated instances which are to be during good behaviour, for a term of years, or appointed by the legislature, and of course falls under the only remaining class revocable at the pleasure of the Executive.

March 1, 1800.

JARED INGERSOLL.

(2)

LANCASTER, March 1st, 1800.

The case naturally presents two principal objects for inquiry. 1st, Whether the Legislature has power to prescribe the duration of commissions issued to the public officers? 2d, Whether it is in the power of the Governor, for the time being, to grant a commission for any term of years, so as to be binding on his successor?

1st. The constitution vests in the Governor the exclusive power of appointing, and it follows as an incident, of removing all public officers whose commissions are not otherwise provided for by the constitution itself.—There are, indeed, but three tenures of office recognized by the constitution: 1st, Judicial offices, which are to be held during good behaviour; 2d, civil offices which are to be held at the pleasure of the Governor; and 3d, fiscal offices, which are constitutionally limited in point of time, with the exceptions of the secretaries, sheriffs and coroners, and other enumerated offices which are to be held under the appointment of the legislature, or in such other manner as is, or shall be, directed by law. It is clear, therefore, that the legislature cannot appoint to any offices which are not expressly designated, as exceptions to the general authority of the governor, and I think it necessarily follows that they cannot, in any other cases, interfere with his general authority of removal. The executive power of removal, and even the power of appointing, would become, in a great measure, nugatory, if the duration of the appointment, after it was made, depended on legislative regulations; for if the legislature can declare that a man shall continue in office for four years, the declaration may, with the same reason, be protracted for forty years; nay, speaking indefinitely, it might vest every office for the life of the officer, or during his good behaviour, and thus the power, control, and responsibility, intended for the executive magistrate, would be essentially transferred to another department of the government. Under this impression, it appears to me that, though the legislature may establish temporary offices, or abolish any office not depending on the constitution, yet they have not a power to prescribe the duration of any commission regularly issued for any permanent civil office by the governor.

But it may be proper to add, that the law in question was, in other views, unconstitutional. For instance, in assuming the power to nominate and appoint the officer, as well as to prescribe the duration of his commission,\* and even in the view now contemplated, it only respects the actual occupant, and does not extend to his successors. In the case of a vacancy, indeed, it was to be supplied by justices of the peace "until the Assembly shall appoint another inspector." Thus, excluding in one word, at least, the idea of any tenure for years,

\*See a declaratory act on this point, passed the 4th April, 1785.

though the assembly might not re-appoint; and the truth is, that since the first appointment by the law, the legislature have never attempted to exercise the power of appointment, but it devolved (without any legislative cession) upon the supreme executive council, to whom, in the opinion of the council of censors, it constitutionally belonged.

If the regulation was unconstitutional under the old frame of government, the same reasons render it inconsistent with the provisions of the existing system, and it is, of course, repealed or annulled.

2d. On the second object of inquiry, I premise that, if the law is repealed or annulled, by force of the existing constitution, the late governor could derive no power from it; & if the legislature could not prescribe a duration to the commission, I think they are equally incompetent to authorise the Gov. to do so. The power of the executive depends implicitly, & entirely, on the grant of the constitution. The legislature & the governor cannot, therefore, jointly, or separately, make the power an iota more or less than the constitution has made it, nor direct or modify the exercise of it, in a manner different from the obvious design and meaning of the grant. The power of appointing to office, and of removing from office, is granted to the Governor for the time being, upon principles of public policy and personal responsibility; but if it is construed so as to authorize the governor's issuing a commission for a term of years, all public policy and personal responsibility are at an end. No greater latitude of construction will be necessary to authorize the executive magistrate to confer commissions for life, or in tail; and every Governor, at the close of a triennial administration, must have it in his power to impose his own partisans upon a rival successor, who may know nothing of the merits, and ought not to be made answerable for the conduct of officers thus appointed without his previous participation, or subsequent assent.

Hence, I conclude, that the governor for the time being has not the power to grant a commission for any term of years, so as to be binding on his successor.

And the general result, upon the case stated, is, that the commission of Mr. Reed, may be superseded at the pleasure of the present governor.

(3)  
Office of the Commonwealth,  
February 21, 1821.

REXS HILL, Esq.

Sir—In examining the law respecting escheats, passed on the 29th of September, 1787, I find the supreme executive council were authorized and directed to appoint an officer to be called *Escheator General*, to hold his office for seven years, if he should so long behave himself well. And this office has been filled by successive appointments, since that time. The present incumbent was appointed on the 14th of September, 1815. I have thought it necessary to mention this, to render more perfect the list already furnished.

Very respectfully, I am yours,  
ANDREW GREGG.

(4)

GENTLEMEN—I take the honor of acknowledging the receipt of Col. Hill's letter, covering the preamble and resolutions therein referred to, and have taken time to collect on the subject such information, as was within the reach of my limited means. Having done so, I now respectfully assure the committee, that I know of no appointment to, or removal from office, by any governor of Pennsylvania, since the adoption of the present constitution, which in my opinion, was not constitutional.

I am, gentlemen, your respectful and obdt. servt.

THO. ELDER.

To Rees Hill, Condry Raguet & Fredk  
Eichelberger, Esquires, Committee, &c.  
Harrisburg, Feb. 26, 1821.

BIOGRAPHICAL MEMOIR OF  
MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from vol. 3. page 404.)

The first hours of Gen. Wayne's relaxation from camp duty were devoted to his family and friends, in Chester county; here he spent a few days among those scenes of domestic happiness and social intercourse for which he possessed so great a predilection, but the enjoyment of which very rarely fell to his lot during an eventful life.

Although absent from the officers and troops whom he had so long, so faithfully and honourably commanded, yet neither he nor they were separated in heart, as will fully appear from the following letters addressed to the President of Council, Robert Morris and Robert Knox, Esqrs.; the two latter gentlemen then being members of the legislature of Pennsylvania.

Dear Sir—I do myself the honour of enclosing an address of the field officers of the Pennsylvania line to your Excellency, together with copies of resolves of Virginia and Maryland, for supplying the officers and soldiers with clothing and other necessities—also the report of the committee respecting the clothing lately arrived, under the conduct of Capt. Lang, with an estimate of the quantity of cloth and other materials sufficient to furnish a suit of clothes for each officer.

It is with sincere pleasure I join sentiment with the committee in congratulating you on your appointment to the presidency of a state, which, from internal divisions, has been rendered feeble, and which will require the utmost exertions of that fortitude and those abilities with which you have hitherto acted in the present contest; and by the means of which we have the most flattering hopes of seeing Pennsylvania resuming that rank and consequence which she is entitled to hold.

I am confident that the officers and troops of the line will soon experience the happy effects of having at the head of their state a gentleman truly disposed to redress their just complaints and alleviate their distress, and whom they esteem as their common friend and guardian.

The clear and decided opinion of the committee of arrangements mentioned in your Excellency's letter of the 14th instant, I shall communicate in as delicate a manner as possible to the gentleman who will be affected by it, and whom I most ardently wish to retain in the army, from the fullest conviction that our line will suffer extremely from the change. It is not the pay or emoluments attending their commissions which can induce gentlemen of sentiment and nice feeling of honor to remain in the service; the former being a mere "*Vox et præterea nihil*," it is the latter and rank alone that can retain them, and when once injured in those tender points we must expect to lose gentlemen of spirit and sensibility, who are the very men we require to render our army formidable to our enemies or respectable to our friends.

Very respectfully, Dear Sir,

Your Obedient,

ANTHONY WAYNE.

His Excellency,  
JOSEPH REED.

Gentlemen—I did myself the honor of laying yours of the 25th Dec., with two resolves of the honourable house of Assembly, before the field officers of our line; enclosed you have their sentiments thereon. We have not been able to procure the rules and regulations of the eastern states for supplying their officers and soldiers with clothing and other necessities, but we soon expect them. Their officers and men have been uniformly supplied, for three years past, with clothing, rum, sugar, tea, coffee, &c. &c., at a price proportional to their pay; and such of them as have families at home are furnished with provisions at the rate of one dollar per bushel for wheat, and so in proportion for every other article; whilst our poor fellows are obliged to pay five prices for almost every necessary of life.

It is with the greatest pleasure I find by your letter

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that your honorable house is disposed to place the officers and soldiers of this, on an equal footing with the troops of other states. The discrimination which has hitherto been made between officers and soldiers fighting in the same cause and serving in the same army, has created very unpleasant feelings.

I do solemnly assure you, that nothing but the highest sense of honour and a true patriotic zeal could have kept our officers in a service which promises nothing but indigence and want—their pay is an empty sound, and such as have not a little property of their own, and those who do possess some, are breaking in upon it by very swift degrees, cannot possibly furnish themselves with clothing, much less the usual comforts of life; so that unless something be speedily and effectually done for them, a very great proportion of our best officers must inevitably leave the service.

I ask nothing for myself, and believe me, that I have no interest in view other than wishing to see brave and worthy officers who have shared every vicissitude of fortune with me, and nobly fought and bled in almost every field of action, honorably provided for, and not left when scarred and maimed by wounds, and perhaps grey in arms, to depend on the cold charity of men grown rich under the shelter of their protecting swords.

I candidly confess that I am prejudiced in their favour—I know their worth. Gratitude joined to justice makes me most ardently wish to see a generous and honorable provision made for them, not only now, but at the end of the war. I shall have the honor of waiting on you next week, when I will do myself the pleasure of laying before the house a plan for the distribution of such articles as may be furnished for the use of our troops.

Interim, with sentiments of esteem,

Your most obedient servant,

ANTHONY WAYNE.

Hon. ROBERT MORRIS }  
and } Esqrs.  
ROBERT KNOX, }

At no period during the revolutionary struggle were the affairs of that glorious cause in greater jeopardy than at the very crisis which this memoir has reached, namely, the winter of 1779.

The French minister, Mr. Gerard, had, by written communications to, and personal conference with, Congress, held out such strong expectations of a general peace throughout Christendom, that the principal anxiety which appeared to exist on the subject, both in the mind of the minister and the French Court was, that America might delay, if not defeat, the desirable event, by asking more than European sovereigns would be disposed to grant; hence Mr. Gerard exerted his arguments and influence to induce the United States to reduce their ultimatum as low as might be compatible with their independency. The whole nation, with Congress at its head, became so infatuated with the notion of peace, that every other public consideration was sacrificed to this illusion. Says an eminent writer of the time, "Wednesday, the 30th of December, 1778, was observed, by order of Congress, as a thanksgiving day. At this very period the affairs of the United States were in the most distressed, ruinous, and deplorable condition. Idleness, dissipation, and extravagance, seemed to have laid fast hold of the generality; and speculation, speculation, and an insatiable thirst for riches, to have gotten the better of every other consideration, and almost of every order of men. Party disputes and personal quarrels were the great business of the day, while the momentous concerns of the Empire, a great accumulated debt, ruined finances, depreciated money, and a want of credit, which is the consequence in the want of every thing, were but secondary considerations, and postponed by congress, from time to time, as if their affairs wore the most promising aspect. The paper was sinking in Philadelphia, daily, 50 per cent., and yet an assembly, a concert, a dinner, or supper which cost 2 or

£300 did not only take men off from acting, but even of thinking of this business—some of the most interested and patriotic Americans felt more real distress on account of this appearance of things than they had done at any one time since the commencement of the dispute."

That guardian angel of the United States, the beloved Washington, seeing, knowing, and feeling this most alarming state of affairs, thus addressed "a very respectable friend, and a gentleman of splendid political talents."

"I am particularly desirous of a free communication of sentiments with you at this time, because I view things very differently, I fear, from what people in general do, who seem to think the contest at an end, and that to make money and get places, are the only things now remaining to be done. I have seen, without despondency, even for a moment, the hours which America has styled her gloomy ones, but I have beheld no day since the commencement of hostilities, when I have thought her liberties in such imminent danger as at present. Our enemy behold, with exultation and joy, how effectually we labour for their benefit; and, from being in a state of absolute despair, and on the point of evacuating America, are now on tiptoe. Nothing, therefore, in my judgment, can save us, but a total reformation in our own conduct, or some decisive turn of affairs in Europe." He proceeds to say, "It is a fact too notorious to be concealed, that Congress is rent by party, that much business of a trifling nature and personal concernment withdraws their attention from matters of great national moment, at this critical period—when it is also known that idleness and dissipation take place of close attention and application. &c." He further adds—"It is never consistent with the views of the speculators, various tribes of money makers, and stock jobbers of all denominations, to continue the war for their own private emolument, without considering that this avarice and thirst for gain must plunge every thing, including themselves, in one common ruin."

General Wayne being fully aware of the alarming supineness which pervaded the constituted authorities of the country; and anticipating the evils which must result from the total neglect with which the comforts of the army had, heretofore, been treated, previously to his leaving camp, dispatched a few confidential officers to the seat of government, for the purpose of representing and opening the way for the redress of grievances, which both the officers and soldiers of the Pennsylvania line were suffering. One of these officers, after addressing the General very fully on the subject of the army, thus proceeds to animadvert on the state of society in the metropolis of the United States:—

"I am distressed, my dear General, at the present prospect, I must assure you. Nothing but party reigns in different bodies. Every thing confirms the opinion that the enemy have been long enough in this country.

Permit me now to say a little of the dress, manners, and customs of the town's people. In respect to the first, great alterations have taken place since I was last here; it is all gaiety, and from what I can observe, every lady and gentleman endeavours to outdo the other in splendor and show; the manners of the ladies are much changed; they have really, in a great measure, lost that native innocence in their manners which formerly was their characteristic, and supplied its place with what, they call, an easy behaviour, &c.

The manner of entertaining, in this place, has likewise undergone its change. You cannot conceive any thing more elegant than the present taste; you will hardly dine at a table but they present you with three courses, and each of them in the most elegant manner.

It is really flattering to the officers of the army the attention paid them by the people.—I have heard many of them mention it; we, I assure you, have tickets, in general, for five or six days forward; God knows we deserve it; much have we suffered, whilst these people were enjoying all the luxuries and ease of life.

May God bless our friends in the camp and send them comfort; I mean in the eating and drinking way, is the constant wish of your very sincere friend."

General Wayne being very desirous of aiding with his presence every application which he deemed proper to present to the constituted authorities of his country on the subject of military affairs, after spending a short time with his family and friends in Chester county, repaired to Philadelphia, where he addressed the following playful letter to one of his favorite officers, then stationed in Virginia.

Philadelphia, 18th Feb. 1779.

Dear Colonel:—I have been honoured with two of your favors, the one from this place, the other from Virginia; but I have never had it in my power to acknowledge them before, and I now send this as a flyer, by Major Forsyth, who passes near your winter quarters. I need not attempt to give you a description of the manners, customs, fashions and extravagance of this place, as you had a sample of them on your way through; all the difference is, that the whole rather increase than diminish; and party runs so high that all public business is at a stand, and all public bodies lulled into an unworthy torpidity, from which nothing will arouse them but the approach of the enemy. Apropos, while I am writing an express announces the burning of a great part of Elizabeth Town, with Governor Livingston's house, &c., and that the enemy are in force two miles on this side of the town. Should they proceed further, I will join General Washington as a volunteer; and in the interim will, as I have done ever since my arrival, enjoy every moment that I can spare, and participate in every pleasure this place affords; and this, too, without the least contamination.

I must do the citizens the justice to say, that they have honoured me with every attention, and treated me with every possible politeness. You know that I have a fondness for ladies' society, yet, excepting the few days which I spent with my family in Chester county, I have not been at a single tea-party since my leaving the army. I have many cards of invitation, and I mean to avail myself of them; this is an indulgence which I have some right to claim, having been sequestered nearly four years from the society of the fair, and perhaps the next fair bullet may make my *quietus*; but a truce to this.

A Light Corps, on a respectable establishment, is about to be formed. His Excellency has lately written to me on the subject, and has offered me a command in it, which under existing circumstances, I will cheerfully accept. My best wishes to all our brother officers, and believe me, your's most respectfully,

ANTHONY WAYNE.

However determined as the General was to partake of the luxuries and pleasure of the day, he never for a moment lost sight of his country's welfare, especially that of the army.

While he was anxiously waiting a propitious juncture to present yet more fully the grievances of the Pennsylvania troops, he received the following letter from Colonel Josiah Harmar.

Millstown Camp, March 8th, 1779.

Dear General:—Agreeably to your request I do myself the honour of transmitting you exact copies of the two arrangements. The latter is likely to create great uneasiness. General St. Clair has recommended a board of field officers to sit, and endeavor to settle it amongst themselves. We shall have a difficult task of it.—The officers are greatly irritated. Yesterday they presented a letter to the committee, signed in behalf of all the officers present, stating many well-founded grievances, desiring us to paint them in as striking terms as possible, and to inform the House of Assembly, unless immediate redress is granted, they would unanimously resign their commissions by the 15th April. The matter is really serious; such a step will dissolve the division. We have written to the committee of correspondence yesterday, informing them of the fixed

determination of the officers; but I suppose it will be treated, as we have been, with *neglect and contempt*.

Should you incline to accept the command of the Light Corps, I shall esteem it a singular happiness to be honored with a command under you. I received a letter some days since from Colonel Magaw, on Long Island; he desires his compliments—and believe me, dear General, your most obedient, humble servant,

JOSIAH HARMAR.

General WAYNE.

The information contained in this and other letters was of such a serious cast, that General Wayne immediately addressed the following memorial to the Assembly of Pennsylvania:

*To the Honorable House of Representatives of the Free-men of Pennsylvania, in Assembly met:—*

The memorial of Anthony Wayne, a Brigadier General in the armies of the United States, and late Commander of the Pennsylvania Line, humbly sheweth,

That a committee was appointed by your Honourable House, at your last session, to correspond with the officers of this State—that in the latter end of December, your memorialist was honoured with a letter, signed by two members of that committee, mentioning the disposition and intention of the House to place the officers and soldiers of the Pennsylvania Line on as equal and good a footing as the troops of any other State; which letter your memorialist laid before the field officers of the line, who, through your committee, have addressed your Honourable House on the occasion, accompanied with certain resolves of the States of Maryland and Virginia in favor of their officers and troops. They also transmitted an estimate of clothing immediately necessary for the officers of the line, who were then experiencing every possible inconvenience, for want of proper and comfortable uniforms.

That nothing has yet been done in the premises, owing as it is said, to an exhausted treasury; while the distresses of the officers continue to increase, and their feelings but too severely to be hurt, under the idea of being neglected by a State, whose credit and honour they have, in every vicissitude of fortune, supported with their blood.

That within these five or six days the Executive council have caused their commissary to forward to camp such spirits, sugar, coffee, &c. as he purchased, which was the first ever sent in pursuance of a resolve of your Honourable House. That the quantity of these articles is so small as to afford but a very limited and partial supply, and that at nearly double the price paid by the troops of other States for goods of the same kind and quality.

Your memorialist, therefore, begs leave to submit to the consideration of the Honourable House, whether it would be more proper to fix a certain price on all such articles furnished for the use of the troops of this State, and that in proportion to their pay, than to leave it to the unequal and fluctuating depreciation or appreciation of our currency, which is a very *unfair criterion* to determine the value of goods, especially for officers whose pay continues the same as it was at the commencement of the war.

The dignity of the state, the general benefit of the service, the justice due to the worthy officers and soldiers, whom your memorialist had once the honour to command, induce him to wish the honourable house seriously to consider the expediency of making provision for the widows of such officers and soldiers belonging to this state, as have fallen or may fall in defence of their country; and also whether gentlemen who have been long sequestered from every social and tender connection, and whose health and fortunes, from the times as well as the nature of the service, are much impaired, ought now to be assured of an honourable provision during life, after they return to private citizens; perhaps grown grey in arms and covered with honourable wounds received in support of liberty and the rights of man; or whether for

want of such assurances they should now be necessitated to retire from the field in order to make some provision against old age.

Whilst the attention of the honourable house is drawn to these essential points, the recruiting business, which is totally stopped, merits notice; for however sanguine many gentlemen may be about the contest being nearly terminated, yet common prudence dictates that the surest way to secure an honourable and advantageous peace is being well prepared for war.

Your regiments are far from being complete; besides the frequent deaths and desertions, incident to all armies, require a constant supply of men to fill the vacancies occasioned by those and other causes.

If in stating the many points contained in this paper any unguarded expression has dropped from the pen of your memorialist, he begs the indulgence of the honourable house to attribute it to an error of the head rather than a fault of the heart,—and to give the whole that decided consideration and effect that it may justly merit.

Signed, ANTHONY WAYNE.

Philadelphia, 10th March, 1779.

Immediately after the memorial was presented it was referred to a committee, who were instructed to associate General Wayne with them in the consideration of its details.

The following letter announces the consequent proceedings:—

Philadelphia, 14th March, 1779.

Gentlemen,—In consequence of a memorial of which the enclosed is a copy, a committee was appointed, with orders to call me to their assistance, to form some plan for putting our officers and troops on an equal footing with those of other states. We went a little further than was expected, and presented the honourable house with the enclosed resolves, which, after some debate, were carried by a great majority.

Your letter of the 7th came to hand too late, but had it been in time, it would not have been presented, as threats often irritate, and sometimes defeat the ends they are intended to obtain, however, I should have retained it as a *dernier resort*.

The recruiting business is now before the house, which has demanded a loan of money from Congress for that purpose, and for procuring clothing, &c., for the officers, who are now put on a footing equal to the British establishment, and superior to any other on the continent.

You will, in my name, please to congratulate the officers and troops on the occasion, and believe me,

Your's,

Most affectionately,

ANTHONY WAYNE.

The Committee of Field Officers }  
of the Pennsylvania line. }

To this communication the General received the following very gratifying, not to say flattering reply:

Milestown Camp, March 27th, 1779.

Sir,—The manner of expressing the grateful sense of a set of men (conscious of their inability) is harder to conclude on than is generally imagined, especially when they know they are more acknowledgements indebted, than the delicacy of the benefactor would choose to hear, where disinterested friendship is the excitement.

In this dilemma of gratitude, we are really at a loss, but fully sensible of the open goodness of your heart, are confident every reasonable allowance will be made for our want of capacity and expression.

We are (long since) acquainted with your endeavours to render the troops of the State of Pennsylvania respectable and comfortable; and the recent proof you have given of your attachment to them, has rivetted the hearts of all ranks more firmly to you (if possible) than before.—Your manly and pathetic address to the assembly must (nay does) render your name more dear to the whole line, who are confident of its effect with the house. If there be a merit in keeping the present



set of officers in the service, or a benefit hereafter result by it to the state, it is much owing to your delicate mode of proceeding on the occasion, as they were generally determined to quit the field; but as a provision is now made that will enable them to serve, we hope our friends and country will be convinced and see by our future conduct, it was no licentious or parsimonious view, but real necessity, and an apparent neglect caused the resolution.

We therefore beg leave to assure you, Sir, that we have the highest opinion of your integrity and worth, and though we have not now the honour to be commanded by you in the field, we hope you will not imagine us so contracted in sentiment, as to lose any part of that sincere esteem and respect we have ever had for you as a friend, a brother and commander, and hope in a short time to see justice done to your well-known merit, and you placed in that station we are confident you can fill with honour to yourself, satisfaction to the public, and benefit to your country.

Filled with these sentiments, and conscious of your deserts, we pray you to receive, through us, the most grateful acknowledgments of your services, and the sincere thanks of the whole line present, with their best wishes for your health and welfare—and in a particular manner the thanks and friendship of, dear General,

Your most obedient

and very affectionate humble servants,

James Chambers, Col. 1st., P. Reg't.

Richard Butler, Col. 9th., P. Reg't.

Thomas Craig, Col. 3d., P. Reg't.

Josiah Harmar, L. Col. 6th., P. Reg't.

To the above are added all the names of the field officers then at camp.

The Honourable

General Wayne.

(To be continued.)

#### MINT OF THE UNITED STATES.

The foundation stone of the Edifice about to be erected, under the provisions of the law for extending the Mint establishment, according to a plan thereof approved by the President, was laid, on the morning of the 4th of July, at 6 o'clock, in presence of the Officers of the Mint, and a number of distinguished Citizens.

Within the stone was deposited a package, securely enveloped, containing the newspapers of the day, a copy of the Declaration of Independence, of the Constitution of the United States, and of the Farewell Address of General Washington; also, specimens of the National Coins, including one of the very few executed in the year 1792, and a half dime coined on the morning of the 4th, being the first of a new emission of that coin, of which denomination none have been issued since the year 1805.

Within the package was also enclosed a scroll with following inscription.

"Mint of the United States."

"This Institution was originally established by Act of Congress April 2d, A. D. 1792, Gen. George Washington being President of the United States, and the following fifteen States members of the Union, viz:—New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky."

"The operations of coinage commenced in the year 1792. The coinage effected from that period to the 1st of January, 1829, was as follows:—"

"Gold coins: 132,592 eagles: 1,344,359 half eagles: 39,239 quarter eagles—making 1,566,190 pieces of gold coin, amounting to \$8,395,812 50."

"Silver coins: 1,439,517 dollars: 41,604,347 half dollars: 1,855,629 quarter dollars: 5,526,250 dimes: 265,543 half dimes—making 50,691,286 pieces of silver coin, amounting to \$23,271,499 90."

"Copper coins: 50,882,042 cents: 6,138,513 half cents

\* S. W. Corner of Chesnut and Juniper St.

—making 57,029,555 pieces of copper coin, amounting to \$539,512 98½."

"Total amount—109,278,031 pieces of coin making \$82,206,825 38½."

"An extension of the Mint establishment was authorized by Act of Congress, March 2d, 1827, John Quincy Adams being President of the United States, and the following twenty four States members of the Union, viz: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Tennessee, Kentucky, Ohio, Indiana, Illinois, Missouri, Louisiana, Mississippi, Alabama.

In fulfilment of the law for extending the Mint establishment, this foundation stone of the Edifice designed for that purpose, was laid on the 4th day of July, A. D. 1829.

Gen. Andrew Jackson, being President.

J. C. Calhoun, Vice President.

Martin Van Buren, Secretary of State.

S. D. Ingham, Secretary of the Treasury.

John H. Eaton, Secretary of War.

John Branch, Secretary of the Navy.

Officers of the Mint.

Samuel Moore, Director.

James Rush, Treasurer.

Adam Eckfeldt, Chief Coiner.

Joseph Richardson, Assayer.

Joseph Cloud, Melter and Refiner.

William Kneass, Engraver.

George Ehrenzeller, Clerk.

Architect of the Edifice.

William Strickland.

Builders.

Robert O'Neile, Carpenter.

Jacob Souder, Mason.

Phil. Gaz.

#### METEOROLOGICAL REGISTER,

Taken at the State Capitol, Harrisburg by WILLIAM

MUSGRAVE, Librarian.

JUNE—1829.

| Thermometer.  | Barometer.      | Days of the Month     | Wind.    |
|---------------|-----------------|-----------------------|----------|
| Max. 15th 78° | Max. 11th 29.89 | 2. 9. 16. 19. 25      | 5 days N |
| Min. 29th 62° | Min. 29th 29.15 | 17.                   | 1 day NE |
| Diff. ex. 16° | Diff. ex. 29.74 | 1. 8. 12. 23. 26      | 5 day E  |
| Mean ex. 70°  | Mean ex. 29.52  | 10. 11. 13.           | 3 day SE |
|               |                 | 3. 4. 5. 6. 7. 24. 27 | 7 day S  |
|               |                 | 14. 20. 28.           | 3 day SW |
|               |                 | 18. 21. 29. 30.       | 4 day W  |
|               |                 | 15. 22.               | 2 day NW |

| Days of the Month.                    | Weather.          |
|---------------------------------------|-------------------|
| 29. 12. 15. 16. 18. 19. 21. 24.       | 9 days clear.     |
| 5. 6. 10. 11. 13. 14. 22. 25. 26. 27. | 10 p clear p cly. |
| 3.                                    | 1 cloudy no rain. |
| 1. 4. 20. 23.                         | 4 p cly. p rain.  |
| 7. 8. 29. 30.                         | 4 showry.         |
| 17. 28.                               | 2 thunder-gusts.  |

On the morning of the 26th the lowest state of the Thermo. was 50°. At noon of 17th the highest was at 90° for a few hours before a thunder gust came on—range in the Mo. 40°. Difference of temp. between the mornings and noons, varied, from 5° to 20°. On the 11th the highest state of the Baro. was 29.89. On the 29th the lowest was 29.15—range 74—The wind has been 9 days E. of the Meridian 9 days W. of it, 7 days S. and 5 days N. This month has been but 3° colder than June 1828, and 7° warmer than last May. The former part of June 1828, was cold and wet, the reverse took place this month, for the latter part has been cold and showery.

There have been but 7 days in this month that the temperature at noon, was above summer heat.



## FROM MANUSCRIPTS IN POSSESSION OF THE AMER. PHIL. SOCIETY.

We have now the pleasure to commence the publication of documents with which we have been favoured agreeably to the resolution of the American Philosophical Society. We purpose allotting a department in our paper for these documents and to designate it by the title "From manuscripts in possession of the Historical Committee of the Amer. Phil. Society."

The following two papers were presented by Mr. — Gratz—

A PETITION OF THE MAYOR, RECORDER, ALDERMEN AND COMMONALLITY OF THE  
CITY OF PHILADELPHIA—January 19, 1710.

*To the General Assembly of the Province of Pensilvania the petition of the Mayor, Recorder, Aldermen, Commonality and other Inhabitant of the City of Philadelphia Humbly sheweth*

THAT being Devided from the County has Rendered Devise nessessary laws of this Govt. Useless to this City and Experience here, as well as the example of other places shews that where a multitude Resorts togetheer there spetiall Provison for suppressing Vice and Establishing good Orders in a Perticular manner is found absolutely needfull. which a former Assembly of this Province wisely considering Essay'd to supply some years since by law. But theire Endeavours Proved Ineffectuall, which Defect has bin accompanied with many Evils and Inconveniences too Troublesome here to inumerate. as the groth of Vice & Imorality, and the Decay of the Publick Credit (things of a Discouraging Nature and dangerous Consequence to Place and People) Both which we humbly conceive is only Retrievable by a law Placing a Discretionary Power in the Mayor Recorder Aldermen and Commonality of this City; In such sort and manner as you in wisdom shall think fitt; for the more Effectuall Suppressing all vitious and Disorderly Practise, by such Rules and ordinance with moderate Penalty's as they from time to time shall find needfull. And also to Inable them to Build a Watch house and Cage, erect a work house: to Imploy the Poor) vagrant and mend the streets make and Repair Warfs and Bridges &c. By Leveing money on the Inhabitance and Estates, of all Persons within the limits of the same; for Defraying the public necessary charge thereof, as in Justice and Prudence the Case may require (allway having Due regard to ye Laws of ye Countrey) for which we become your supplicants and humbly pray a Speedy Redress, which will more strictly Ingage your Petitioners as in Duty bound.

*Philadelphia, 19th January 1710.*

(Signed)

Will Allen  
Leeson Loftus  
John Warder  
Caleb Jacob  
Hugh Lowdon  
John Beeton ?  
William Kelly  
Ralph Jackson  
Owen Roberts  
Thomas Eldridge  
Jacob Warren  
William Lawrence  
John Widdifield  
Justinian Fox  
William Bartling  
William Oxley  
Joseh Harrison  
John Harrison  
Joseph Yard, Jr.  
William Hill  
Anth. Morris, Jr.  
Nathaniel Tybe  
John Bass  
James Morris  
Edwd. Shippen, Jr.  
Wm. Fishbourn  
Anthony Burton  
James Wood  
Geo. Painter  
James Estaugh  
George Claypool  
T. Mason  
Robert Burrough  
Johannis Nys  
Caleb Ransted  
Jo'n Warder

Matthew Robinson  
Lionel Buters  
George Blumly  
Thomas Coldman  
Richard Willis  
Thos. M. Carey  
Arthur Holton  
Richard Armitt  
George Gray  
Saml Holt or Wolf  
Richd. Robinson  
Tho. Pryor  
Thomas Peters ?  
Elisha Gatchell  
Wm. Robinson  
Cesar Ghiseling  
John Jones  
John Ffogg  
Thomas Miller  
William Say  
John Haywood  
Thomas Okley  
Thos. Andrews  
W. Powell  
Anthony Duchee  
Caleb Cash  
William Rudd  
John Knowles  
James Barrett  
Francis Cook  
Nehemiah Allen  
William Lee  
Henry Badcok  
Ab'm Bickley  
Peter Stretch

Thomas Bradford,  
Thos. Griffit  
Tho. Murray  
Francis Richardson  
Clem. Plumsted  
Stephen Jackson  
Wm. All  
Jn. Budd  
Samuel Wamrise  
Joseph Peugh  
James Bingham  
Sam'l Kenison  
Thomas Potts  
William Coxer  
Wm. Powell  
Thomas Beacham  
Tho. Cheatham  
Wm. Carter  
Rob. Ashton ?  
Edward Shippen  
Griffith Jones  
Nathan Stanbury  
Sam'l Preston  
Antho. Morris  
Thomas Tresso.  
John Cadwalader  
John Price  
Sam'l Chandler  
Nicholas Ashmead  
Joseph Yard  
Daniel Wilcox  
David Breintnal  
John Browne  
Wm. Fforrest  
Salomon Cresson

Ed. Noble  
Chas. Sober  
Henry Flower  
John Redman  
Thomas Wharton  
Edward Hadden  
Francis Knowles  
Daniel Radley  
Joseph Claypoole  
Hugh Duxborow  
John Maule  
Andw. Sim  
Arch'd Starr  
Hugh Corder  
Sam'l Powell  
Edward Evans  
Thomas Stapleford  
Israel Pemberton  
Charles Read  
Thomas King  
Abel Cottry  
Willi Brownson  
Benjamin Chandler  
Richard Parker  
Stephen Stapler  
Isaac Ashton  
Ralph Ward  
Alexander Badcock  
Thomas Peart  
Timothy Stephenson  
James Cooper  
John Furnis  
Richard Warder  
Robert Teap  
Jacob Usher

Presented to the Assembly 11 mo. 25th (Feb'y. ?)—leave given to bring in a bill.

In 1705—a law was passed in which it is enacted "that no persons shall be capable to vote in the house, or sit there during any debate until he shall make and subscribe the following declarations and profession of his Christian belief." It was to be done at every succeeding assembly—"betwixt the hours of nine in the morning and four in the afternoon, by every member at the table in the middle of the house, and while a full house of representatives is there sitting, with their speaker in his chair; and during the making and subscribing thereof all business and debates shall cease."—It was to be recorded in Rolls or books prepared for the purpose—for

which each member was to pay the Clerk "five pence and no more."—It was to be first read and subscribed by the speaker, and after him by every member.

The following is the QUALIFICATION—from the original in possession of the Committee of the Society.

We whose names are hereunto subscribed elected Representatives by the freemen of the respective Countys in this Province of Pennsylvania and City of Philadelphia in pursuance of the Law and the Prop<sup>y</sup>s Charter to serve in assembly, do each of us for himself sincerely promise, and solemnly declare before God and the World, That we will be faithful and bear true Allegiance to Queen Anne. And we do solemnly profess and declare, that we do, from our heart, abhor, detest and renounce, as impious and heretical, that damnable doctrine and position, that Princes excommunicated or deprived by the Pope, or any Authority of the See of Rome, may be deposed or murdered by their subjects, or any other whatsoever.

And we and each of us do declare, that no foreign Prince, person, prelate, state or potentate hath, or ought to have, any power, jurisdiction, superiority, preheminance or authority ecclesiastical or spiritual, within the realm of England, or the Dominions thereunto belonging.

And we and each of us do solemnly and sincerely, in the presence of God, profess, testify and declare, that we do believe that in the sacrament of the Lord's supper there is not any transubstantiation of the elements of Bread and Wine into the body and blood of Christ, at or after the consecration thereof, by any person whatsoever; and that the invocation or adoration of the Virgin Mary, or any other Saint, and the sacrifice of the mass, as they are now used in the Church of Rome, are superstitious and Idolatrous.

And we and each of us for himself do solemnly, in the presence of God, profess, testify and declare, that we do make this declaration and every part thereof, in the plain and ordinary sense of the words read unto us as they are commonly understood by English protestants, without any evasion, equivocation or mental reservation whatsoever and without any dispensation already granted us for this purpose by the Pope, or any other authority or person whatever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking we are or may be acquitted before God, or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or power whatsoever, should dispense with or annul the same, or declare that it was null or void from the Beginning.

And we and every one of us do profess faith in God the father, and in Jesus Christ, his eternal Son, the true God, and in the Holy Spirit; one God, blessed for evermore; and do acknowledge the Holy Scriptures of the Old and New Testament, to be given by divine inspiration.

*Chester Co.*

Daniel Williamson  
Samuel Lewis (Levis)  
Henry Lewis  
Richd. Hayes  
John Hood  
Thomas Pearson  
William Bartram  
Daniel Hoopes

*Bucks Co.*

William Paxson  
Wm. Biles  
Joshua Hoopes  
Henry H. Paxson  
Saml. Darke  
Saml. Beaks  
Ezra Croasdill  
Francis Hillborn

*Philadelphia Co.*

Dan<sup>l</sup>. Lloyd Speaker  
Joseph Wilcox  
John Roberts  
Joshua Carpenter  
Griffith Jones  
Francis Cooke  
*Philada. City*  
Abra. Bickley  
Wm. Lee.

### EARLY SETTLEMENTS ON DELAWARE.

English Records concerning the early settlements on Delaware River—1664 to 1682; copied from the Records in the Secretary of states office at Harrisburg, and presented to the Historical and Literary Committee of the American Philosophical Society, by Redmond Conyngham, Esquire, May 26, 1829.

By his Excellency William Burnet Esq Captain General and Governour in chief of the province of New York New Jersey and territories thereon depending in America and vice admiral of the same &c.

*To All to whom these presents shall come Greeting*

Know Yee that on the day of the date hereof Isaac Bodin Esq Deputy Secretary of the province of New York personally came and appeared before me and made oath on the holy Evangelists of Almighty God that the writing hereto annexed purporting copies of several matters of record relating to Delaware are true and exact copies & was by him this deponent carefully examined and diligently compared with the original records remaining in the secretaries office of this province And further Know Yee that on the day of the date aforesaid Abraham Gouverneur Gent Sworn interpreter of the province of New York also came and appeared before me and made oath on the holy Evangelists of Almighty God that the Dutch writings beginning from fo 30 till fol 45 inclusive hereunto annexed on the one side and the English on the other side purporting several matters of record relating to Delaware (in Dutch called Zuyt Rivier) are due and exact copies as they are entered into the Dutch Books & papers remaining in the secretaries office of this province of New York and were by him this Deponent carefully examined & Diligently

compared with the original remaining in the said office And that according to the best of his skill & understanding he has translated the same into English as is wrote over against the Dutch and that the Certificates by him made under the same are true In Testimony whereof I have hereunto set my hand and caused the Great Seal of the province of New York to be hereunto affixed Given at Fort George in New York this Twenty ninth day of November and the Thirteenth Year of his majestys Reign (1774.)

By his Excellency's Command W BURNET  
J. S. BOBIN D Secry

### GOVERNOR STUYVESANTS FIRST LETTER.

Right Honourable Sirs Whereas we have received intelligence that about three days since there arrived an English man of war or frigatt in the bay of North River belonging to the new netherlands and since that three more are arrived by what order or pretence is yet unknown to us and having received various reports concerning their arrival upon the coast and not being apt to entertain any thing of prejudice intended against us Have by order of the Commander in chief of the New Netherlands thought it convenient and requisite to send the Worshipfull (the bearers hereof) that is to say The Worshipful John Declyer one of the chief council The reverend John Megapolenses minister Paul Lendelvandegrist major of this town and have joynd with them Mr. Samuel Megapolenses Doctor in Physick whom by these presents have appointed and ordered that with the utmost respect and civility they do desire and entreat of the Commander in chief of the aforesaid men of war or frigotts the intent and meaning of their approach and continuing in the harbour of Nayally without giving any notice to us or first acquainting us with their design which action hath caused admiration in us

not having received any timely knowledge of the same which in respect to the Government of the place they ought and were obliged to have done wherefore upon the consideration aforesaid it is desired and entreated from the General of the aforesaid men of war or frigatts as also from our deputed agents. whom we desire your honours civilly to treat and to give and render to them the occasion of your arrival here upon this coast and you will give an opportunity (that after our hearty salutes and well wishes of your health) to pray that you may be blessed in eternity and always remain Right Honourable Sir your honours affectionate friend and Servant  
P. STUYVISSANT.

By order and appointment of the Governor and Commander in chief of the Council of the New Netherlands Cor Ruyven Secret Dated in ffort Anill in new Netherlands the Nineteenth of August one thousand six hundred and Sixty four

**COLLONELL NICOLS** his answer and Summons.

To the Honourable the Governor and chief councill at the Manhatanes Right Worthy Sirs I received a Letter by some worthy persons intrusted by you bearing date the 19th August desiring to know the intent of the approach of the English frigatts In return of which I think it fit to let you know That his majesty of Great Brittain whose right and title to these parts of America is unquestionable well knowing how much it derogates from his crown and Dignity to suffer any foreigners how near soever they be alleied to usurp a dominion and without his majestys Royal consent to inhabit in those or any other his majesties territories hath Commanded and in his name to require a surgender of all such Forts Towns or places of strength which are now possessed by the Dutch under your Command and in his majestys name I do demand the Town situated upon the island commonly known by the name of Manhatoes with all the forts thereunto belonging to be surrendered under his majesties obedience and protection into my hands I am further commanded to assure you and every respective inhabitant of the Dutch nation that, his majesty being tender of the effusion of christian blood doth by these presents confirm and secure to every man his estate life and liberty who shall readily submit to his government and all those who shall oppose his majestys grasioius intention must expect all the miseries of a war which they bring upon themselves, I shall expect your answer by these gentlemen Colonel George Cartwright one of his majestys commissioners in america Captain Robert Needham Captain Edward Groves and Mr. Thomas Delaval whom you will entertain and treat with such civility as is due to them and your selve and yours shall receive the same from worthy sir your very humble servant.  
RICHD. NICOLLS.

Dated on board his majesties the Ship Guyny Riding before Nayck the 20th-30 August one thousand six hundred and sixty-four.

*These to the honourable the Governour of the Manhatoes—*

Honoured Sir—The neglect of signing this enclosed when it was first brought to your hands By Collonel George Cartwright, was an omission which is now amended and I must attribute the neglect of it at first to the over-hasty zeal I had in dispatching my answer to the letter I received from you dated the 19th-29 instant I have nothing more to add either in matter or form than is herein expressed only that your speedy answer is necessary to prevent future inconveniences and will very much oblige, your affectionate humble servant  
RI NICOLLS

By the hands of Captain William Hill Captain Robert Needham and Captain Math. Nicolls

*Governor Stuyvesants Letter to Collonel Nicolls.*

My Lord—Upon our Ere the day before yesterday and upon the communication by word of mouth of our Deputies touching the just right and possession without dispute of my lords the states general of the United

province as also of our discovery of the news from Holland wch makes us not to doubt but that the King of Great Brittain and my lords the said states are at this hour agreed upon their limit. This had given us hopes (my lord) to avoyd all dispute that you would have desisted from your design or at least have given time that we might give an answer from our Masters from which expectation we have been frustrated by the report of our said Deputies who have assured us by word of mouth that you persist on ye summon and Ere of 20-30 Aug'st upon which we have no other thing to answer but that following the order of my lord the States Generall we are obliged to defend our place however in regard that we make no doubt that upon yd assault and our defence there will be a great deale of blood spilt and besides its to be feared greater difficulty may arise hereafter Wee have thought fit to send unto you Mr. John Decker counsellor of state Cornelius Van Riven Secretary and Receiver, Cornelius Steinwick major and James Consceau Sheriff to the end of finding some means to hinder and prevent the spilling of innocent blood wch we esteem (My Lord) not to ye intention, praying you that you will please to appoint a place and hour and send or cause ye Deputies to meet there with full commission to treat and seek out the means of a good accomadaton and in the mean time to cause all hostility to cease upon which after recommending you to the protection of Gon Wee remain My Lord Your thrice affectionate ffriend and Servt.

P. STUYVESANT The  
Manhatoes in the ffort of Amsterdam in New Holland  
4th September 1664 (New Stile)

*To the Hon'ble the Governor of the Manhatoes.*

Right Worthy Sir

In answer to yo of ye 4th of September new stile by the hands of John Decker Councillor of State Cornelius Van Rivan Secretary and Receiver Cornelius Stenwick Burgo Muster and James Cousseau Sheriffe I do think it once more agreeable to the Kings intentions and my duty to his strict Commands to propose and receive always and means of avoiding the effusion of Christian blood of which sincere intention I suppose you are already fully satisfied and shall have no cause to doubt it for the future as alsoe that I doe insist upon my first summons and message to you for a speedy surrender of the Town and fforts now under yo command into his maties. obedience and protection. You may easily believe that in respect of greater difficulties which are ready to attend you I should willingly wth your proposition to appoint deputies places and times to treat of a good accommodation but unless you had also given me to know that by such a meeting you doe intend to treat upon articles of surrender I do not see just cause to deferr the pursuance of his majties. commands my first demand and my last answer of reducing your towne and fforts to his majties. obedience wch. why you call acts of Hostility I see no reason However since you have given yo selfe and messengers this new trouble I shall alsoe take this fresh occasion to assure you that I heartily wish health and prosperity to every inhabitant of your plantations and particularly to yo self as being your affectionate humble servants.

RICHARD NICOLI. gravesend  
25th Augst 1664.

**CHESAPEAKE AND DELAWARE CANAL.**

JULY 4.

At two o'clock, on Saturday afternoon, the anniversary of our National Independence, the embankments at the summit of the Chesapeake and Delaware canal were opened, and the water was admitted into the whole line. The President, Directors and Secretary of the Company attended by the Mayor of Philadelphia, the Superintendent of the works, the principal and assistant Engineers, and a number of respectable citizens of Pennsylvania, Maryland and Delaware, having embarked

in a barge, proceeded along the Canal from the locks at the western extremity to the summit bridge, near which the last embankment was removed. Here they were welcomed by a great concourse of people, a large body of troops from Baltimore, and repeated discharges of artillery. After remaining for some time, the barge proceeded eastward to the tide lock of the Delaware, thus navigating the whole line of the Canal.

To those who had not before seen the work, the vast excavation of the deep cut, the length and height of the stone walls by which it is lined, the width and loftiness of the summit bridge, the broad sheet of water, and the large scale on which all parts have been executed, could not fail to occasion much surprise and admiration.

The repairs at the Delaware tide lock, and the completion of such portions of the Canal as have been necessarily left to the last, will not it is said, occupy many weeks. We may therefore, expect to see the regular intercourse between the bays soon carried on through a channel so long desired and expected. *Nat. Gaz.*

We learn that the barge Chesapeake passed through the Chesapeake and Delaware Canal on Saturday last, and arrived at Delaware City on Sunday morning, at two o'clock.

#### JEFFERSON COLLEGE.

Canonsburg, Pa.

Dear Sir: This College, it is believed, has strong claims on the patronage of the friends of literature. It was the first Literary Institution established West of the mountains; has been the principal nursery of literature in that region; has been growing in numbers and importance, and now occupies a prominent rank among the Colleges in our country. The number of graduates for several successive years has been about 30—the number of Students 120. Important additions have been made to the library and apparatus. The Trustees are determined to afford every facility and advantage which the growing importance of the Western country demands. It has been resolved to erect additional buildings, so as to afford a convenient and spacious hall, rooms for recitation, for apparatus, and the literary societies—also a refectory and dining room. The present building to be appropriated exclusively for lodging rooms. It is also contemplated to purchase a farm adjacent to the College with a view of connecting agricultural labour with the exercises of the students; and to apply the proceeds to reduce the expenses of education. By these arrangements it is expected that the expenses of education, which are now as moderate as in any college in the U. S. will be still farther reduced. Agents have been appointed to solicit contributions at home and abroad, to accomplish this important object. To such persons as feel the importance of imparting an enlightened moral influence to the rapidly increasing population of the West, it is confidently believed no institution can present stronger claims on their benevolence. I take the liberty of addressing this to you, as having some knowledge and, I trust, feeling some interest in the prosperity of our institution. I have been requested and authorised, by our Board to act as their agent in procuring some pecuniary aid. The college has always been very limited in funds and dependant on the private contribution of the friends of religion and literature. The erection of the building and the purchase of ground will cost about \$12,000—without some foreign aid we cannot accomplish it.

Very respectfully

M. BROWN.

It appears from the following that we were mistaken with respect to the first arrival from Liberia.

Mr. Poulson—Observing in your paper of this morning that the schr. Hannah was the first arrival at this port from Liberia, I feel it a duty to correct that error, by informing you that there are two splendid brigs, the

"Liberia," and "J. Ashmun," built and owned by J. Hanson, of this city, kept constantly running between the two places. Last summer I had the pleasure of seeing one of our wharves nearly covered with the valuable products of the colony, just landed from the "Liberia"—ivory and camwood piled up like cords of fuel, and some thousand dollars worth of gold dust, delivered to her enterprising owner.

#### First arrival of Coal from Mauch Chunk by the Lehigh Canal, July 4th, 1829.

We have the pleasure to state that seven boats loaded with coal, arrived this day at Philadelphia, from Mauch Chunk, being the first shipment via the new canal. A large supply of Lehigh coal may now be expected to arrive regularly during the remainder of the season, which will be sold at \$6 50 per ton delivered, as heretofore.

MAUCH CHUNK, July 2.

We understand that the Packet boat Swan, (which has been a few weeks past waiting at Easton for the completion of the Lehigh canal) has been up as far as Allentown, and on Sunday last returned by the canal to Bethlehem, with seventy passengers, who were greatly gratified with the novelty of the voyage. We are also informed that the boat went six miles in one hour and three minutes, passing through three locks.

The Swan is intended as a regular passage boat between Easton and Mauch Chunk.—*Lehigh Pioneer.*

Notwithstanding the coldness of the weather, we observed, on looking over the register at Mr. Kimball's, on Tuesday, that there had been an arrival during the day before of about fifty persons, ladies and gentlemen, from Philadelphia, New York, &c.—*Id.*

The Tank made to gauge the canal boats, and to hold one ton of water, was filled with pump water, at a temperature of 49 deg.

With river water, at the temperature of 69 deg.

It required 2lbs. 3oz. and a half more, in bulk of river water, to make one ton. The temperature of the atmosphere at the above period, was 75.—*Id.*

We are informed by the best authority, that two vessels, one with 300 tons and one with 350 tons of coal, loaded and sailed down the river Schuylkill and over the bar, without the least difficulty; and there is never less at common tide than 13½ and 14 feet water, and no doubt can exist that ships of 3 and 400 tons can readily load with common cargoes on said river.—*U.S. Gaz.*

The following is the amount of duties paid by the different Auctioneers of the City, during the last quarter.

|                 |   |   |   |   |       |    |
|-----------------|---|---|---|---|-------|----|
| J. Jennings,    | - | - | - | - | 7,606 | 26 |
| M. Gillingham,  | - | - | - | - | 7,235 | 77 |
| S. C. Ford,     | - | - | - | - | 6,305 | 62 |
| R. F. Allen,    | - | - | - | - | 6,186 | 30 |
| J. Lippincott,  | - | - | - | - | 6,026 | 54 |
| P. Graham,      | - | - | - | - | 2,526 | 21 |
| G. W. Richards, | - | - | - | - | 2,259 | 80 |
| M. Thomas,      | - | - | - | - | 1,217 | 13 |
| T. B. Freeman,  | - | - | - | - | 574   | 07 |
| J. B. Grant.    | - | - | - | - | 188   | 25 |

40,125 95

York, (Penn.) June 23.

The Crops.—It appears from the papers we receive from different parts of the country, that the husbandman has a prospect of an abundant harvest. The prospect for fruit would be equally auspicious, were it not that the hope of fruit if not extinguished, is much damped, by the despair of destruction, which, it is feared will be made by the caterpillars, which have taken possession of the fruit trees.—*Gazette.*

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, JULY 18, 1829.

NO. 81.

## BIOGRAPHICAL MEMOIR OF MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 38.)

So perfectly convinced were the President and Council of Pennsylvania, that the long and arduous military services of Brigadier Gen. Wayne richly entitled him to promotion, and that other officers of the line were fully deserving of higher rank than they then held, thus addressed the delegation in Congress on the subject:

State of the general officers of Pennsylvania.

"By the several regulations of Congress, and practice of the army, the apportionment of general officers ceases upon the promotion of a Brigadier to a Major General.

He is then considered as belonging to the United States, and local connection is supposed to cease. So that in determining what general officers a state ought to have, Major Generals ought not to be included.

However, at most, we can be charged but with two, viz:

1st. Major General Mifflin sent in his resignation, August, 1778, on which nothing was done, and he has been out of service.

2d. Major General St. Clair.

By the resolve of Congress, dated the nineteenth day of February, 1777, it is declared, "That in voting for general officers, a due regard shall be had to the line of succession, the merit of the persons proposed, and the quota of troops raised, or to be raised, by each state." Pennsylvania having eleven battalions in the line of the state, and half of the German battalion, in company with Maryland, is entitled to four brigadiers, reckoning the whole number of battalions in the continental service, at eighty. Whereas, she has but two:—viz: Brigadier General Thompson, and Brigadier Gen. Wayne, which latter has, for almost two years, commanded a division, while the Pennsylvania brigades have been commanded by colonels.

Resolved, therefore, that it is the opinion of this board, that as well in consideration of General Wayne's merit, having been highly distinguished in sundry letters, from the commander in chief to Congress, as from his long standing in the army, he be recommended to the rank of a Major General.

2dly. That colonel Robert Magaw, the senior colonel in the line, should be advanced to the rank of a Brigadier General, as soon as he shall be exchanged, or otherwise released from captivity.

3dly. That colonel William Irvine, the second colonel be promoted to the rank of a brigadier, with a saving of the right of colonel Magaw, when he shall be promoted.

4thly. That this board (without any disparagement of the merit and character of General Hand,) do protest against his being considered in any respect as a Brigadier General, upon the nomination of this state, it appearing most clearly by the admission of the field officers of the state of North Carolina, as well as of their delegates in Congress, when the committee of arrangement made their report, that General Hand was nominated by the state: There being then two senior colonels in the Pennsylvania line of unexceptionable character, who, upon military rules, would have been entitled to a preference. But if Congress choose to continue General Hand, upon the general line of the continent, this state

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does not object, provided that in case of taking command of any troops of this state, he yield the rank to colonels Magaw and Irvine, when advanced to equal commissions.

5thly. That the claim of rank made by Major General St. Clair, over Major General Arnold, if warranted by military rules, ought not, in justice to the interests and inclinations of this state, to be relinquished upon any principles of civility or personal complaisance. And that the delegates of this state in Congress do support the same, if warranted as aforesaid, with their whole weight and influence, in case it should be there debated."

However strongly disposed Congress may have been to comply with the request and wishes of the President and Council, for an additional Major General to the army of the United States, yet the notion of a speedy peace, the number of foreigners and Americans, already appointed to that rank, the latter by seniority, clashing of interests, rank, &c., opposed the measure.

Indeed it would appear from the following letter of General Wayne, to the venerable General John Armstrong, then one of the Pennsylvania delegates in Congress, that he was not ambitious of promotion, that his desire was to continue in command of the Pennsylvania line as a Brigadier.

Philadelphia, April 21st, 1779.

Dear Sir,—I did not clearly apprehend you, when you inquired of me whether I had thought of any mode by which I could be promoted, without giving offence to senior officers; lest that my answer should have led you to suppose that promotion was my wish—I must beg leave to assure you, that my only ambition was to have continued as a Brigadier, commanding the Pennsylvania line; a command I had long enjoyed, and in which I esteemed myself more honoured by the confidence & affections of my officers & soldiers, than I possibly could hope from any thing in the power of Congress to bestow; this, together with the approbation of my Gen., and consciousness of having done my duty, was to me a rich reward for every toil, difficulty, and danger, which I have experienced in the service of my country: and although I have been deprived of that, I never wish to hurt the feelings of other gentlemen, by any undue promotion; nor can I, under existing impressions, deprive my colonels of alternately commanding my brigade, a service which they have most faithfully executed, since I have been honoured with the conducting of the Pennsylvania line of the army. When Congress, or his Excellency shall think proper to honor me with the charge of troops, without wounding the feelings of other officers, I shall gladly accept of it, but upon no other consideration.

Believe me, most sincerely,

yours,

ANTHONY WAYNE.

General JOHN ARMSTRONG.

As soon as it was known that a corps of Light Infantry was about to be composed of a select body of troops from the different regiments of the army, and that the Commander in chief had resolved to honor General Wayne with its command, the latter was addressed by many distinguished officers, both of the Pennsylvania and other lines, expressing an ardent desire to serve

under him, and soliciting his interest with the Commander-in-chief for that purpose—a circumstance which induced General Wayne to address the following letter to his excellency:—

Philadelphia, 10th May, 1779.

"Having maturely reflected on the propriety of my being present during the formation of the Light Corps, I am decidedly of opinion, from the numerous letters which I have received from different officers, that I had better be absent, lest it should be supposed, however erroneously, that partiality of mine for certain officers had tended to bring them into the corps. If your Excellency should concur in this opinion, I then beseech you, in the mean time, to employ me in any other way by which I can render either you or my country any service."

The Commander-in-chief replied, "As soon as the Light Corps is organized, you shall have notice of the fact."

The few weeks interval which this communication afforded, was spent with his family and friends in Chester county. The pleasure which General Wayne derived from those hours of domestic comfort and tranquillity, may be discovered from the following letter addressed to one of his officers—Col. Walter Stewart. Easttown, Chester co. 7th June, 1779.

Dear Sir,—Whatever crimes I may be guilty of, want of gratitude and sincere friendship is not among the number; but you will say, you have been guilty of neglect in not sooner acknowledging the receipt of my letter, of the 3d ultimo—true, but then the pleasure of a rural life, from which I had been so long withdrawn; the many little endearing amusements it affords, together with the thoughts of shortly bidding a long, *perhaps a last, adieu* to them, will plead powerfully in mitigation of the neglect; especially with a gentleman informed by so congenial a spirit, and whose heart is equally susceptible with my own. Do you not often find it troublesome, and sometimes inflicting pain? but does it not richly compensate for that? Is it not of such a texture that, take it "*all in all*," you would not wish to exchange it for one more callous?—You agree, and pardon me. I thank you, my dear Watt.

Now for the field of Mars. I believe that sanguine god is rather thirsty for human gore. The horrid depredations of the enemy, to the southward, indicate an inundation of it. For my own part, I have never ceased, since the commencement of this war, sincerely to wish that it could be conducted with more liberality; but if that is not the choice of Britain, let us, however reluctantly, adopt the alternative, by neither giving nor receiving quarter; the sooner we close with them on their own ground, the better—as then, we shall know what we have to depend on, and our lives be no longer the sport of premeditated and cool villany, but become the price of much blood, and at too great a hazard for Britons to make many purchases.

I expect soon to see you; till when, and ever, believe me, your's,

ANTHONY WAYNE.

The campaign of 1779 opened under circumstances the most gloomy. The winter had been permitted to pass away without the necessary preparations for a continuance of the war. Congress and the nation, as has been said, were lulled into an almost fatal lethargy, in consequence of a belief that peace was about to take place, without further exertions to secure it.

At the time a competent army should have been in camp, the men were yet to enlist, owing to the late provisions which Congress had made for recruiting, &c. The bounty offered was so low, that men could not be procured to enter the service, and the individual States had to be called on in the most pressing manner, by the Commander-in-chief, and ultimately by Congress, to increase the bounty, and use every exertion to forward their respective quotas of troops.

It was a fortunate circumstance for the eastern and

middle states, that, during the preceding autumn and winter, so many of the British troops had been detached to the south, that Sir H. Clinton was incapacitated, in a great measure, from carrying on, early in the season, such a predatory war as his government had resolved on, and himself and his officers were determined *literally* to execute; and such a one as was then waged in Georgia and South Carolina.\* To pave the way for murder and rapine, the Indians were bribed to pursue their savage mode of warfare, whilst proclamations were issued, holding out the most tempting allurements to our citizens, to plunge the dagger into each other's hearts—instances of which but too frequently occurred in the south, and were much dreaded in the north.

Early in May, Sir Henry Clinton resolved to commence a predatory warfare on and near the sea-port towns of Virginia, as well as those in the eastern states. General Mathews and Sir George Collier, with 2,500 regular troops and mariners, were despatched by Clinton to make a descent on Virginia. On the 10th of May they effected a landing, and immediately proceeded to their work of destruction. Within a fortnight, that the fleet and army continued on the coast, the loss of the Americans was enormous; whole towns were laid in ashes, and all the principal houses of gentlemen, in their route, shared a similar fate. Such outrageous conduct could only be remonstrated against; there was no force to oppose it.

About the 1st of July, Generals Tryon and Garth were ordered, with 2,600 troops, on a predatory expedition in Connecticut. Before landing the troops, the Generals, on the 4th of July, issued their proclamation to the inhabitants, inviting and urging them to return to their allegiance, and also promising all who should remain peaceably in their usual places of residence, protection in person and property, excepting the civil and military officers of government; but threatened with vengeance those who neglected the warning. An historian of the time says:—"The address, or proclamation, was merely farcical, for instead of *leaving them to consult each other on the occasion*, they employed force before the people had time to convene after the invitation was received." On the 5th the troops were landed, and the Generals immediately proceeded to the most shameful and wanton destruction and abuse. Towns were delivered up to promiscuous plunder. "Whigs and Tories had, indiscriminately, money, plate, rings, and other articles taken from them;" even cattle, by hundreds, were wantonly shot down in the fields. At Norwalk and Fairfield, alone, the British consumed four houses of public worship, 162 dwelling houses, 142 barns, 59 stores and shops; independently of those consumed at Green Farms, New Haven, and East Haven. During those villainous depredations, the militia of the country gave a gallant but ineffectual resistance.

It was impossible to say where these ravages would have ceased, had not Sir Henry ordered the immediate return of the devastating detachment to New York, for the purpose of aiding in another and more honorable enterprise.

The great and good Washington, although surrounded with difficulties and dangers in the neighborhood of his immediate command, had, nevertheless, sent from his small army two considerable detachments; the one destined for the south, the other in aid of the expedition which, under the command of Maj. Gen. Sullivan, was about to march against the inimical Indians of the Six Nations, dwelling on and near the waters of the Allegheny and Susquehanna rivers. By these detachments his army was so much reduced that the Commander-in-chief was not only compelled to act exclusively on the defensive, but in order to prevent an attack on his weakened army, he was induced to resort to every honorable means to influence his enemy with a belief that his forces were much larger and easier of concentration than they actually were. To add other embarrassments, alarming discontent existed, at this crisis, in part of the

Jersey line—at the very time they were under marching orders to join the western army: an event which General Maxwell thus announces to the Commander-in-chief: “The officers of the first regiment have delivered to their Colonel a remonstrance, addressed to the Legislature of the State, declaring that, unless their complaints on the subjects of pay and support should obtain the immediate attention of that body, they were, at the expiration of three days, to be considered as having resigned, and requesting the Legislature, in that event, to appoint other officers to succeed them. “This,” added the letter of General Maxwell, “is a step which they are extremely unwilling to take, but it is such as I make no doubt they will take; nothing but necessity—their not being able to support themselves in time to come, and being loaded with debts contracted in time past, could have induced them to resign at so critical a juncture.”

The Commander-in-chief addressed those officers in most eloquent and pathetic terms, and the Legislature promised redress of grievances. In reply to his excellency they said, “we are sorry that you should imagine we meant to disobey orders. It was and still is our determination to march, and to do the duty of officers, until the Legislature have a reasonable time to appoint others, but no longer. We beg leave to assure your excellency, that we have the highest sense of your abilities and virtues; that executing your orders has ever given us pleasure; that we love the service, and love our country; but when that country gets so lost to virtue and justice as to forget its servants, it then becomes their duty to retire from its service.”

In communicating this transaction to Congress, Gen. Washington says, “that the distresses in some corps are so great, that officers have solicited even to be supplied with the clothing, destined for the common soldiery, coarse and unsuitable as it was: I had not power to comply with the request. The patience of men, animated by a sense of duty and honour, will support them to a certain point, beyond which it will not go. I doubt not Congress will be sensible of the danger of an extreme in this respect, and will pardon my anxiety to obviate it.”

Most happily a short time previously to this event, the assembly of Pennsylvania, much owing to the strenuous and well-timed exertions of General Wayne, had tranquillized the officers of that state, not only on the above, but other subjects of just complaint.

In the mean time Gen. Washington was industriously endeavoring to fortify West Point and the Highlands on the banks of the Hudson, objects which he never lost sight of during the war.

Some miles below West Point, about the termination of the Highlands, is King's Ferry, where the great road affording the most convenient communication between the middle and eastern states, crosses the North River. The ferry is completely commanded by the two opposite points of land. The one on the west side, which is a very rough and elevated piece of ground, is called Stony Point, and the other, on the east side, which is a flat neck of land projecting far into the water, is termed Verplank's Point. To secure those points was a matter of vast importance, both to the British and American General; hence the latter had extended the plan of fortifying the Highlands, so as to comprehend within it this valuable position.

However industriously the officers who had charge of fortifying Stony and Verplank's Points, labored for that purpose, yet only on Verplank's a small, but strong work, had been completed and garrisoned by 70 men, under captain Armstrong, whilst the works on Stony Point, of much greater extent, and incomparably more importance, were unfinished. It was at this juncture that Sir Henry, being reinforced by the return of Gen. Mathews by his disgraceful predatory expedition in the middle states with a brilliant coup de main up the Hudson,

before all the defences on its margin could be completed.

General Washington, by those means which he never failed to provide, was early apprised of Sir Henry's preparations for some enterprise, but it was doubtful whether the American army at Middlebrook, or the forts on the North River, were his real object. The American commander therefore concerted a plan with his officers, then conducting different detachments, for the most speedy concentration of the troops, in case of emergency. With this view he resolved to move that part of the army under his immediate command from Middlebrook to the Highlands, which was accomplished early in June.

General Mathews, with the fleet from Virginia, having arrived at New York, Sir Henry, without debarking the troops, on the 30th May united those under his immediate command with them, and the whole proceeded up the North River, under convoy of Sir George Collier. The next morning the British troops landed in two divisions, the one under General Vaughan, destined against the works at Verplank's, on the east side of the river, the other under Sir Henry, in person, destined against those of Stony Point on the west side. The fortifications on Stony Point being unfinished, were abandoned without resistance, on the approach of the enemy, who immediately commenced dragging some heavy cannon and mortars to the summit of the hill, and on the next morning, about sun-rise, opened a battery on Fort Fayette, erected on Verplank's, the distance across being about one thousand yards. The cannonade during the day, from the very commanding position of Stony Point, as also from vessels and gun-boats in the river, occasioned much injury to the fort, which, being invested both by water and land, and no means of saving the garrison now remaining, Captain Armstrong, after a gallant resistance, was compelled to surrender himself and troops prisoners of war. Sir Henry proceeded immediately to place both forts in, what he supposed, a perfect state of defence, especially that of Stony Point, which he garrisoned with 600 men, under the command of an officer distinguished for his bravery and circumspection.

Sir Henry, in consequence of the advance of the American General towards West Point, declined a further movement up the Hudson, and returned with his army to Phillipsburg, about half way down the river to New York, with the view of more readily supporting Stony and Verplank's forts, in case of an attack on them, or any other of his garrisons on the Hudson. The loss of those posts obliged the inhabitants of New Jersey to make a circuit of about ninety miles through the mountains, to communicate with the eastern states.

[To be continued.]

## PROCEEDINGS OF COUNCIL.

THURSDAY EVENING, JULY 9th.

A petition was received from sundry citizens praying that Rittenhouse Square, in the south west quarter of the city, may be improved. Referred to committee on the square.

A petition was presented praying that 13th street may be paved from Spruce street to Cedar. A resolution was adopted directing the work to be done.

The following communication was received from the Mayor.

Mayor's Office, July 9th, 1829.

To the Presidents of the Select and Common Councils:

Gentlemen—I enclose a letter from the City Solicitor, on the subject of the settlement of the accounts of one of the Tax Collectors, to which his attention has been directed. Some authority to release parts of the property referred to, upon receipt of equivalent sums of money, (which may be done without abatement of the security,) will much facilitate the final settlement of the account.

Very respectfully, yours,

B. W. RICHARDS.



Dear Sir—The city, as you are aware, has claims against Mr. John S. Furey and his sureties, to the amount of some thirteen thousand dollars, and has secured those claims by judgements regularly entered.—The real estate thus bound is valuable, and as far as I can judge, will be sufficient, with tolerable management, to pay the debt to the city, and leave a considerable surplus to the parties.

It has recently been proposed by Mr. Furey to make sales or mortgages of portions of this estate, and to apply the proceeds directly to the payment of his arrears to the corporation. It appears to me, that it is obviously the interest of the city, to facilitate such an arrangement; and I have understood from you that you concur in this opinion.

Sales or mortgages however cannot be effected, without the city's consent to exonerate the property sold or mortgaged from the lien of their judgment; and upon examining the act of assembly and ordinances, I apprehend that the authority of the Mayor does not extend to such a case.

I therefore take the liberty of submitting to you the propriety of applying to the Select and Common Councils, for power to exonerate or release from the lien, obtained by the city, any real estate now held by Mr. Furey and his sureties, which they may hereafter sell or mortgage, so soon as a full equivalent for such real estate shall have been paid into the city treasury.—Such a power vested in you will not in the least impair the security of the corporation, while it will greatly expedite the collection of the debt. I am, sir, most respectfully your obedient servt. J. K. KANE.

*City Solicitor's Office, 8th July, 1829.*

To B. W. Richards, Esq. Mayor, &c.

On motion of Mr. Hale the following was adopted.

Whereas, The Mayor, Aldermen and Citizens of Philadelphia, purchased on the 7th day of April, 1819, from Messrs. Josiah White and Joseph Gillingham, all their right to the water power of the River Schuylkill: And whereas, the sum of twenty-four thousand dollars of six per cent. stock, a part of the purchase money, was retained, to indemnify the City against claims that might be set up, and it appearing from the opinion of City Solicitor herewith submitted that the retained certificates for the aforesaid amount of twenty-four thousand, may now be delivered up without risk.

Therefore,

Resolved, by the Select and Common Councils,—That the City Treasurer be authorized, and he is hereby requested to issue and deliver certificates of six per cent. stock for twenty-four thousand dollars, in name of Josiah White and Joseph Gillingham; being the balance of purchase money of all their right to the water power of River Schuylkill, as appears by a Deed dated the 7th day of April, 1819.

On motion the following resolution was adopted.

Resolved, by the Select and Common Councils, That the Mayor be, and is hereby authorized, so far to exonerate and release from the lien obtained by the city, any portions of the real estate held by John S. Furey and his sureties as may be necessary to enable him and them to sell or mortgage the same: provided that the fair consideration of such sales or mortgages shall be paid to the City Treasury.

Mr Read reported a bill relative to tax gatherers which was passed.

Mr. Worrel presented a report relative to Norman's Alley in the north west part of the city, concluding with a resolution directing the same to be paved.—The resolution was successfully opposed by Mr. Read, who objected to the policy of paving private alleys.

Mr. O'Neil offered a resolution to the Common Council directing Smith's court in South Third street near Gaskill to be paved. It was opposed by Mr. Baker on the same ground that Mr. Read had, in the Select Council, opposed the paving of Norman's Alley. The resolution was referred to the Paving Committee.

A letter was received from Samuel R. Fisher, complaining of an order issued to him to make a foot pavement in front of his square on Cedar street between Tenth and and Eleventh. Referred to the Paving Committee.

A petition was received from sundry citizens complaining of the condition of Jones' Alley, near Schuylkill Fourth street. Referred to the Paving Committee.—*Philad. Gazette.*

City Commissioners' Office, July 6, 1829.

To the Presidents and Members of the Select and Common Councils.

Gentlemen:—In obedience to an ordinance passed by Councils on the 26th February, 1829, the City Commissioners respectfully submit a statement of their expenditures for the three months commencing on the 5th of April, and ending on the 4th of July, 1829.

|   |             |
|---|-------------|
| Under appropriation No. 1, New Paving.      | \$18,006 89 |
| Do do No. 2, Unpaved streets,               | 1,244 65    |
| Do do No. 4, Docks and Sewers,              | 1,184 50    |
| Do do No. 5, Lighting and Watching,         | 9,654 80    |
| Do do No. 6, Pumps and Wells,               | 520 90      |
| Do do No. 7, Regulating Ascents, &c.        | 30 81       |
| Do do No. 9, Expenses of Offices,           | 911 85      |
| Do do No. 10, Services in Markets,          | 122 00      |
| Do do No. 11, Incidental expenses,          | 72 12       |
| Do do No. 13, Repaving, &c.                 | 4,150 48    |
| Do do No. 14, City Property,                | 2,188 83    |
| Do do No. 19, Purchase of Paving Stone,     | 1,328 43    |
| Do do No. 20, Repairing Footways,           | 2 00        |
| Do do No. 21, Exps. authorised by Councils, | 680 95      |

Making altogether the sum of \$40,098 19

All which is respectfully submitted:—By order,  
JOHN NORVALL, City Clerk.

## BEDFORD COUNTY.

[From The American Farmer.]

SIR,—A few weeks ago I received a package of the 10th vol. American Farmer, containing, among other interesting and valuable matter, a part of the answers of Calvin Jones to the queries of Captain Hall, and was struck with the difference of practice in North Carolina, and that which is universal in the central and western parts of Pennsylvania, as to the manner of cropping *new land*, or such "land as is brought into cultivation from a state of nature." The Amer. Far. containing Dr. Darlington's answers to queries from No. 1 to 67, inclusive, unfortunately for myself never reached me. I am not certain, therefore, whether I can add to your knowledge or amusement, by relating the mode by which we reduce our native forests to the operation of the plough in our land of mountains and valleys. I thought, however, that Dr. Darlington, residing in an old, rich and highly cultivated country, such as Chester county, would not be likely to be as well acquainted with the process of clearing and cropping new land as we of Bedford county, who spend our lives at it. At all events the practice may differ, and some of your readers may desire to know every body's way of doing business. Moreover, I find the state of things in Chester do not in every instance correspond with those of Bedford; and as the object of Mr. Jacobs must be to acquire a knowledge of the statistics of each district in the United States, in order that he may make a just estimate and average of the whole, I propose answering the questions so far as my knowledge extends. I have adhered in general, to the order of the queries, but have not confined myself to their solution, being desirous of sketching Bedford county as it really is. Therefore I send you a *Sketch of Bedford County, Pennsylvania*.

When we wish to clear a piece of land, we, in the first place, stake it off, and provided with a grubbing hoe, take up by the roots every bush or sapling which a stout man can shake in the root by grasping the stem



and bending it backwards and forwards. If the roots give to this action, it is called a grub and must be taken up. Dog-wood, iron-wood and witch-hazel, are always classed among grubs whether they shake in the root or not. After the land is grubbed, the brush is picked in heaps. We then chop the saplings, that is, every thing is cut down which does not exceed 12 inches across the stump. Such parts of the saplings as are fit for *ground poles* are chopped at the length of 11 feet; such parts as are fit for fire-wood are left for that purpose, and the top brush thrown upon the heaps made of the grubs. Next, the trees are deadened, leaving one or two for shade. This process of deadening is called by Mr. Jones "belting;" the manner of doing the work is the same, and consists in chopping entirely round the tree a cuf of three or four inches wide. A tree is not well deadened unless it is cut to the red; that is, the axe must penetrate through the sap, but it is not thought necessary to chip out more than the bark of oak timber. Sugar-maple, gum, &c. must be chipped out half an inch or an inch. The advantages of deadening timber, are immense; labour is saved in chopping down and burning the stuff on the ground. Indeed in this country it is next to impossible to cut down the timber, unless we live in the vicinity of Bedford, because farmers are not rich enough to pay for it. The dead timber gives us fire-wood for years, which obviates the necessity of resorting to the woods. When it falls the roots are taken out with the tree. On the other hand, the falling branches incommode us for years, covering our grain every winter, and causing great labour in picking it in heaps. The trees fall over the fences and demolish them; sometimes they fall on horses, cattle, &c., killing or maiming them; not unfrequently men and boys have been killed.

As soon as the brush will burn, it is fired and every particle consumed. The fire sometimes gets away from the workmen, and great havoc is committed on fences, woods and mountains. After the clearing is burnt, the rail timber is chopped and logged off, the rails mauled, fences made, and the tops of the rail timber hauled home for fire-wood. If saw logs or building timber are wanted they are cut down and hauled off. At any time between the 1st of Sept. and middle of Oct. the ground is *scratched*, (rough-ploughed,) a bushel of wheat per acre sown broadcast, harrowed in, and crossed. New ground is sometimes ploughed twice, but this is so seldom done as scarcely to form an exception, though it is admitted that a second ploughing adds a fourth to the crop.

Wheat is universally the first crop sown on new land, unless we clear a patch for potatoes. The average crop is from 12 to 20 bushels per acre. The second crop is rye, oats follow, and then corn. This is the usual course. It is then left out a year or two, and the course begins again until it will produce nothing.

In eight or ten years the timber begins to fall rapidly. When the ground is pretty well covered with old logs, the farmer goes in to nigger off. This is effected by laying the broken limbs and smaller trees across the logs and putting fire to it. Boys or women follow to chunk up the fires. In a day or two the logs are niggered off at the length of twelve or fifteen feet; sometimes the entire tree is consumed. When the trees are thus reduced to lengths that can be handled by men, the owner has a *log rolling*. He gives the word to eighteen or twenty of his neighbours the day before the frolic, and when they assemble they generally divide the force into two companies. A captain is chosen by acclamation for each company, and the captains choose their companies, each naming a man alternately. When the whole is formed they set to work, provided with hand-spikes, and each company exerts itself to make more log heaps than the other. Nothing is charged for the work, and the only thing exceptionable in these frolics is the immoderate use of whiskey. In general great hilarity prevails; but these meetings, like all others in

this county, are sometimes disgraced by dreadful combats between the persons composing them. Bedford county, like most mountainous countries, possesses a large proportion of stout athletic men. Bravery is a predominant feature in their character, and they value themselves in proportion to their strength. Hence arises animosities which are seldom allayed but by battle.— They possess one noble quality, however, and that is forgiveness of injuries. After a fair trial of strength, though each may have been so severely cut and bruised as to be disabled for several days, they will meet in perfect harmony, and no trace of malice or even resentment appears. This, to one who has always looked upon the indignity of a blow as meriting the chastisement of death, seemed impossible, but there can be no doubt of the sincerity of their tacit reconciliation.

The general price of clearing land is five dollars per acre, put under fence six rails, and a ground pole four feet worm and ready for the plough. Sometimes it is cleared on the shares, and then if the proprietor finds the grubber in boarding and lodging, finds horses, seed, feed and puts it in himself, the grubber gets the first crop, or the half of the two first. If the undertaker finds every thing he gets the two first or the three first crops according as he can make his bargain, and the bargain is usually determined by the quality of the land and the difficulty of clearing. Meadow land is cleared for from four to seven crops.

In addition to our log rolling frolics, we have frolics to haul out dung, to husk corn, and to raise our buildings.

The first, the dung frolic, is getting out of use, and never ought to have been practiced, because a man can do it himself.

The corn husking is done at nights. The neighbours meet at dark; the corn has been previously pulled, and hauled in a pile near the crib. The hands join it, the whiskey bottle goes round, the story, the laugh, and the rude song is heard. Three or four hundred bushels are husked by 9 or 10 o'clock—a plentiful supper is provided, and sometimes the frolic ends with a *stag dance*; that is, men and boys, without females, dance like mad devils, but in good humour, to the time of a neighbour's cat-gut and horse-hair, not always drawn with the melody and judgement of Gilliaume.

Our buildings are made of hewn logs, on an average 24 feet long by 20 wide; sometimes a wall of stone, about a foot above the level of the earth, raised as a foundation; but in general four large stones are laid at the corners, and the building raised on them. The house is covered sometimes with shingles, sometimes with clap-boards. The advantage of the latter kind of roof is, it requires no lathes, nor rafters, and no nails, and is put on in much less time. It has been called a poor man's make-shift, and its use can only be justified by the poverty and other circumstances of the country. The ground logs being laid, a saddle shaped A on the upper edge, is cut with an axe, at the ends, as long as the logs are thick, then the end logs are raised and a *notch* cut to fit the saddle. This is the only tie or binder they have; and when the building is raised as many rounds as is intended, the ribs are raised, on which a course of clap-boards is laid, butts resting on a *butting pole*. A press pole is laid upon the clap-boards immediately over the ribs to keep them from shifting by the wind, and the pole is kept to its birth by stay blocks, resting in the first course against the butting pole and then against each preceding pole. The logs are run up on the building on skids by the help of wooden forks. The most experienced axe men are placed on the building as *corner men*; the rest of the company are on the ground to carry the logs and run them up. In this way a building is raised and covered in, in a day, without a mason and without a pound of iron. The doors and windows are afterwards cut out as the owner pleases. As the country becomes rich and more densely settled, those hastily constructed buildings will give way

to more durable and more comfortable ones; but at present there are very few buildings in the country, except on the turnpike, of any other material than logs.

*Query 7.* We sow on old land  $1\frac{1}{2}$  bushels wheat, rye 1 bushel, buckwheat  $\frac{1}{2}$  bushel, oats 2 bushels. Barley is not raised in this county, or very partially.

8. The average produce of wheat may be estimated at 14 bushels, rye 12, oats 20, buckwheat 25.

9. We strike out our corn land at  $3\frac{1}{2}$  feet by  $3\frac{1}{2}$  and drop 4 grains of corn (*zea mæiza*) at each angle. Two or three stalks at most are cultivated.

10. I have known corn produce but 5 bushels shelled. I have known it to produce 80 bushels. The produce may be averaged at 15 bushels shelled.

11. We consider buckwheat as the greatest exhaust-er, oats next, corn next, wheat next, rye next.

12. We cultivate no "shelled fruits," except in our gardens.

13. We raise potatoes and turnips in our fields. Mangel wurzel and carrots in our gardens.

14. Potatoes and turnips are partially used as food for cows. I know of but one individual who has raised mangel wurzel and carrots for cattle food, and that on a small scale. Neither of these roots are distilled. The same person has for four years persevered in attempts to cultivate the Ruta Baga, but except last year every attempt was a total failure, and then he was not half paid for his labour. He intends trying it again this year.

Potatoes are indispensable on a dinner table among all classes; I have never heard of their being the exclusive food of any family in Pennsylvania, and yet I am informed the distress in Philadelphia has been very great this winter. Other vegetables together with meat and wheat bread form the aliment of our population.—Turnips are not so generally used as potatoes.

15. There is no manufacture of which those roots form the basis.

16. Potatoes are certainly an exhaust-er. They require the best soil or a thin soil highly manured. Land which will produce fine mangel wurzel or carrots, returns but a poor crop of potatoes, though the general opinion is the contrary. It requires first rate land to yield ten bushels for one planted; and as twenty bushels of seed are usually planted on an acre, two hundred bushels per acre is a good crop. But on an average, one hundred & twenty-five bushels per acre is the crop. I have heard of six hundred bushels on an acre, but I never saw it.

We usually sow turnips on new ground meadow land, prepared by twice harrowing. The timothy is sown a few days after the turnips are up. If the seed is sown at the same time the timothy is apt to smother the turnips. Thin land must be well manured and well prepared to yield turnips.

17. Potatoes are looked upon as an excellent preparative for wheat, corn or oats.

18. Our only mode of saving roots over winter is to dig a hole about a foot deep, and five or six feet in diameter. In this we put about twenty bushels, drawing them up in the form of a cone. The potatoes, turnips, &c. are then covered with straw, and earth thrown over the straw about a foot thick. The hole is then cap't with straw to prevent the rain from penetrating the apex, and they keep well till spring.

19. 20. 21. We raise no tobacco in the field. It is occasionally raised in gardens for family use. It will, however, grow well in our rich lands; and recent political events induce me to believe it will at no very distant day become an article of important culture among us. If our brethren of the South shall exclude our hogs, horses, cattle and manufactures, we must exclude their cotton and tobacco. Hemp, flax, and silk, and the bold unconquerable spirit of mountaineers, which scorns to be dragooned into political measures, the certain result of which are to subject us to the control of a foreign power, and finally to reduce us to beggary, will enable us to dispense with cotton garments. A gentleman by the

name of Rhoads, in the adjoining county of Somerset, where the climate is much colder than it is here, so much so, that in some parts of it Indian corn will not ripen, has for a number of years raised from five to ten acres of tobacco annually, and found a profitable market for his crop in Baltimore. It is very certain that the soil and climate of Pennsylvania can produce more tobacco than her population consumes. We fear nothing from the restrictive or non-importation system of the South. We can plant mulberry trees, sow hemp and flax, eat more veal and roast-pig, and plant some of our clover-fields and meadow land in tobacco.

22. to 30. inclusive. We raise no cotton or sugar cane, but we manufacture sugar from the sugar-maple (*acer saccharinum*.) This tree, which arrives at a size rivalling the largest white oaks, flourishes in our sandy bottoms, spouty drafts, on the sides of our mountains and the summit of the Alleghany. It is slow of growth, hard to kill, but when dead soon rots. The roots are numerous and strong, interlaced on or near the surface of the ground, so that it is impossible to plough near them.

When the sugar seasons begins, which is generally about the first of March, the sugar maker repairs his camp if it is out of order. The camp is a small shed made of logs covered with slabs or clap boards, and open at one side. Immediately before the opening, four wooden forks are planted, on which is placed a strong pole. From this is suspended as many wooded hooks as the sugar boiler has kettles, usually four. Wood is hauled, and it requires a large quantity to boil a season. The troughs to receive the water are roughly hewn of cucumber, white or yellow pine, or wild cherry, and contain from one to three gallons. The trees are tapt with a  $\frac{1}{2}$  auger, about one inch or an inch and a half deep. In the hole is placed a spile or spout 18 inches long, made of sumach. Two spiles are put in a tree.—A good camp will contain 150 or 200 trees. When the troughs are full the boilers go round with a sled drawn by horses, on which are placed two barrels to receive the water. Having filled the barrels he returns to camp, and fills up the vessels, which consists of his meat vessels, &c. well cleaned. The water which is gathered in should be immediately boiled, because it makes the best sugar. If left to stand a few days it becomes sour and ropy. They fill up the kettles, and as it boils down, the kettles are filled up again until all is boiled in. In order to ascertain when it is fit to stir off, a little of the molasses is taken out in a spoon, and dropt into a tin of cold water. If the molasses is thick it will form a thread in the water, and if this thread will break like glass, when struck with a knife, it must be taken off the fire and is fit to stir off. The kettle is set on the ground and occasionally stirred till it cools and granulates.—Great judgment is required, and the most exact attention to take it off at the very moment it is fit. If it is taken off too soon, the sugar will be wet and tough; if it is left on too long, it will be burnt or be bitter, and scarcely fit for use. Some boilers try it by taking a few drops of the molasses between the thumb and finger, and if it ropes like glue when it cools, it is said to be in sugar.

A tree is calculated to produce a season a barrel of water of 30 gallons, and it requires six gallons to make a pound of sugar. This estimate, however, appears too large. I have never known a camp turn out, one tree with another, more than three pounds. In Jamaica it is not unusual for a gallon of raw cane liquor to yield a pound of sugar. It is supposed there can be no doubt of the fact that our trees do not produce as much as formerly. Many of the trees have been injured by fire, but the fatal cause of their deterioration is the auger.—When a tree is cut down which has been frequently tapt, there is a black and rotten streak for a foot above and below many of the auger holes. The great miracle is that a single sugar tree is alive in Bedford; but the almighty Fabricator of the Universe has in his infinite wisdom and beneficence bestowed on this precious tree

a tenacity of life truly wonderful. Though every year assaulted by the axe, the auger, or by fire, it clings to existence, and yields to its ungrateful possessor a luxury and necessary of life, which but for it would command a price which would debar its use from the poor. The average price of maple sugar is from 6 to 10 cents per pound.

A society was formed in Centre county, two or three years ago, with the Hon. Charles Houston at its head, for the purpose of propagating the sugar tree, and extracting the water from the roots. Whether they have succeeded in their enterprize, or whether the society has perished amidst political turmoil, I know not. In this county a few partial attempts have been made to plant out the young trees found in the woods, and they have succeeded.

31. 32. There are two distinct kinds of meadow in this county. One kind is formed by the flat bottoms of our creeks and rivers, and the other is drafts or little valleys running from the sides and tops of mountains and ridges into a water course. A winter stream generally meanders through those valleys, and the sides of the hills through which they run are wet and spouty in winter and spring. These are sown in timothy, and produce a heavy swarth, and are considered more durable than bottom meadow. I know of none who keep meadow for the purpose of fattening cattle, nor do I know of any in this county which in strictness can be called *natural meadow*. It is not the soil which constitutes meadow, but the grass combined with the soil, and the purpose to which it is applied.

Johnson defines meadow to be "pasture land;" but this definition is about as satisfactory as his definition of oats, or Cobbett's definition of purselaine, for at that rate our clover fields would be meadow *pro tem*.

A natural meadow is such as God made it, without the aid of art; a prairie, for instance. We grub out, deaden the timber and sow in timothy our wet spouty lands.—Therefore ours is artificial meadow, but naturally moist land adapted to meadow. We always cut them for hay and pasture the after-math. Were we to devote our meadows to pasture, I presume it would require an acre and a half to fatten an ox.

33. All our plough land is admirably adapted to rearing and fattening sheep. It is remarked by the visitors at our springs in the watering season, that the Bedford mutton cannot be excelled in flavour. The breed is mongrel, but a moderate degree of care makes a tolerable fleece, and healthy animal.

34. 35. I have no genera, and am not botanist enough to determine the genus or species of our spontaneous grasses without one.

36. We cultivate red clover and timothy. White clover is indigenous; our meadow land is sown in timothy, upland in red clover. Some few have attempted the red top. The result is not yet fully ascertained.—The clovering system is becoming general.

37. We cannot readily ascertain the weight of a lean ox, without the help of instruments, which we have not.

38. The average weight of our steers is from 300 to 700. We kill at too early an age; generally at from 2 to 4 years. Our oxen do not attain their growth till 7 years old.

39. 40. The most favourable season for fattening is from May to September. Cattle which have been kept over winter on straw and hay, refuse it in the spring, and about the first of May the pasture affords a good bite. If they have been well wintered, clover will make them good beef; if a feed of bran, or oats, or chopped corn is given them every other day with a table spoon full of salt, they will be fit for the butcher in 3 months. If they are stall fed they will require from 3 to 6 months to make what may be called good beef. What we would call lean cattle, however, an English farmer would call, probably, carrion. It is certain that we do not make our beef as fat as the English do, because the citizens of Bedford, who are our consumers, will not

give us a price to justify our care and expense. If they can get carrion which never saw an ear of corn or a bushel of oats, which is as black as the hinges of Newgate, and tough as the tail of his satanic majesty, at 2 cents a pound, they would rather mouth it till their jaws, conquered by everlasting flesh and sinew, refuse to wag, than pay a farmer 6 or 8 cents for beef, such as a man who had any regard for his bowels might fancy. But, *de gustibus non disputandum*, and if those citizens burghers choose to demolish the bone and sinew of a murrain, instead of enjoying the luxury of a good beefsteak, even let them; I shall not quarrel with them.—Ephraim is with his idols, let him alone. But I must be permitted to say they have a very depraved taste, and their liberality is by no means proverbial. The Baltimoreans and Philadelphians ought to refuse their patronage to our springs, unless the tavern keepers agree to furnish their table with better beef. From these premises, if I answer query 41, I would say it is all bone, muscle and sinew, and no tallow at all.

42. I know of no method by which I can arrive at accuracy in estimating the weight of hides. Last year I killed a steer whose quarters weighed 669lbs. hide 101 lbs.; a steer 400lbs., hide 110lbs. An extensive and experienced tanner informs me the average weight of hides, excluding of calf and kip, is about 55lbs.

43. 44. We make no cheese. The cream is converted to butter. Cows generally do not produce more than 3lb. per week.

47. Calves are weaned sometimes at 24 hours, sometimes not for 4 weeks.

48. 49. When intended for slaughter they are permitted to suck the cow for 3 weeks or two months, and then killed.

50. Our sheep are coarse woolled, but some of them are mixed with the Merino, which has greatly improved their fleece. No pains have been taken to improve the breed of this valuable & much neglected animal. This is in part to be attributed to the vascillating policy of the government, and the instability of the administration. For one presidential term, we have an administration, friendly to domestic industry, and desirous of promoting and strengthening our own resources. Before their beneficial system of policy can be developed and matured, another administration of doubtful policy throws us on the ocean of conjecture, and we fear to strain our resources or involve ourselves in debt, for a species of property which an act of Congress may render valueless. If our government possessed the solidity of some others, we could afford to introduce among ourselves, the Saxon and improved English breeds, or obtain a cross of the Caramanian, but in this fluctuating state of things, we must wear out our lives and our lands with the eternal plough for permission to live.

52. They are short woolled, and they are uniformly emasculated.

53. I have never known a ram slaughtered, wethers may be.

54. Averaged at 50 lbs.; and ewes at 40 lbs. The fleece weighs 3 lbs.

55. We slaughter or sell our sheep to the butcher, at 5 or 7 years old.

56. Sheep are sometimes fattened with oats, or wheat bran.

57. 58. Open sheds are constructed in winter, it is not the practice to fold sheep.

59. 60. 61. The dung of all the stock is collected in the barn yard. The straw not used in fodder, is thrown promiscuously with it. The cattle are foddered on it. In spring or fall it is hauled out and ploughed in.

Swine. 62. to 67. The number of hogs raised is considerable. After they are weaned, they are turned to the woods, and are seldom or never fed till the ground is frozen up. In the vicinity of the Alleghany, they will get nearly fat on beech nuts, chestnuts, and acorns. In winter they get a little corn or buckwheat, night and morning. The last of October or the first of November,

those intended for pork are put up in a close pen, which is never cleaned, and fed on corn, boiled rye, or buckwheat, till Christmas, when they are slaughtered; they weigh from 150 to 360.

68. Our farm horses are a mixture of all breeds, and consequently remarkable only for their capacity to endure fatigue.

69. A four horse team will haul in a wagon on the turnpike fifty hundred. The wagoners who load in Baltimore and Philadelphia for Pittsburg, charge only gross weight to Chambersburg, from thence to Pittsburg they charge nett, because the mountains begin at Chambersburg. Fourteen miles was considered a day's journey between Chambersburg and Pittsburg. They have travelled this year as high as twenty-four. Two miles an hour used to be considered good wagoning; they travel more than that now. Though four horses can haul 5000, on the turnpike, 3000 is a good load on our county and private roads. There are no two horse carts in the county! The country is unfavourable to the use of carts, because in descending our ridges and mountains, the shafts press too heavy on the horse's back, and gall it, and it is too hard on his shoulders and fore legs, and besides it is absolutely necessary to lock which cannot be done in a cart. Hence gigs are in little use, and dearbans supply their place.

71. The custom is to feed and hitch up at or before sun rise in the plough, work till 7 o'clock, breakfast and feed till eight, hitch up and work till 11 o'clock, feed and dine till 1 o'clock, and work till sun down.—It is found however that the horses can do better if not hitched up till after breakfast and will do quite as much work in a season. The number of hours which a horse works on a farm in a day cannot be stated at less than 9.

72. Oxen are decidedly preferable to horses on a farm on many accounts. They can and ought to be broke at two years old. From thence to the age of three, they more than earn their feed. From thence to four, they can haul logs and rails, plough and harrow, indeed do all the drudgery of the farm. From thence till 10, a good yoke of oxen can draw more than three horses, and they take a steadier, heavier drag up hill than horses. At any time from 7 to 10 they may be put up and fed, and sold to the butcher at a greater price, and more profit than if sold at an earlier age, provided they have been worked. They are not subject to the maladies and casualties of horses. More horses die from folding to the age of ten, than cattle from calving to the same age. The bold, fiery, impatient spirit of a horse subjects him to a thousand dangers of life and limb, even when at large in the field from which the moderate, grave, patient, circumspect ox is exempt. But when the noble animal is backed by a thoughtless, inexperienced or brutal owner, or driven in a wagon or plough, by a scoundrel hiring, he is broken down in limb, wind and tendon; he becomes ever after a miserable mass of existence, joyless in himself and a burthen to his owner.

The gears of an ox cost comparatively nothing. From the time he is calved till seven years old he is improving in value. He is then of prime age for slaughter.—His labour has paid his keeping twenty times over. After his day's toil is ended he will soon fill himself in a cloverfield, and repose contented till morning. He may be hitched up at breakfast and work till dinner. A little cut straw mixed with chopt oats, or corn will enable him to pursue his toil till night, when he seeks his field again & troubles his driver no more. Should he lose an eye his value is not diminished. Should a leg be broke or a joint dislocated, he can be fattened and sold at as high a price as if no injury had been sustained. If a farmer raises stock instead of keeping a pack of idle brutes about him for 6 or 7 years, that consume two or three times more than they sell for, let him yoke them up, put his boys to plough, harrow, haul rails, &c. and convert them into productive valuable animals which he can convert into cash at any moment, after having more than cleared their cost by their labour.

But we cannot work oxen in winter, because we cannot get them shod. Our blacksmiths do not know how, and will not learn because they think it degrading to shoe an ox. The Green mountain boys and New Yorkers, however, think nothing of crossing Champlain on the ice, with heavy loads drawn by large oxen well shod, and they think it not at all disreputable to pay their debts, enrich their lands and grow wealthy by exchanging horse labour for ox labour.

If a horse loses an eye or gets his wind broke, his value is materially diminished. If he breaks a bone or dislocates a joint, his value is estimated by what the tanner will give for his hide, and the labour of taking it off is to be deducted.

A good yoke of lean oxen may be had for \$40; a pair of good young horses will cost \$200. The gears of oxen, a log chain and yoke, cost about \$6, and with care will last a life without mending. The gears of a pair of horses cannot be had for less than \$15. They require constant mending, and in a few years must be renewed. A horse is at his prime at seven years old, and fails at ten, and you can't eat him. For horses the oat-bin and chopt-chest are in eternal requisition. Oats or corn, morning, noon and night, or chopt rye, morning, noon and night. If a horse is worked and not well fed, in a few days this bold, active, powerful animal is transformed into a locomotive bag of bones, & in a few days more, that bag of bones is reduced to an inanimate carrion, which every living thing but a starving wolf would loathe. To supply the eternal demand for grain which the constitution of a horse renders necessary, the man must go, the plough must go, the harrow must go, the horse himself must go, the blacksmith must be paid, the harness maker must be paid, the tax gatherer must be paid, the scythe must go, the rake must go, the wagon must go to haul in the harvest, the flail must go, the fan must go, the man, horse and bag must go to mill, the mill must go, the miller's toll-dish must go for his legal tenth and his illegal tenth, the boy must come back from mill, the cutting knife must go, the horses' grinders must go, a year's labour goes, the owner goes to jail, the children go to service, and the wife goes to distraction or the grave. In this estimate I have omitted the three tons of hay, which a horse will eat or tramp under his feet through carelessness, and he will not eat straw; and I have said nothing of the many hours which must be spent in polishing his hide with the curry-comb and brush.

The patient ox chews his clover in summer, his straw in winter, and if a nubbin of corn or the bran of your flour is given to cheer him in a cold winter's night, he thanks you for it, thrives, and pays you when dead more than you gave for him when living. The facilities therefore which oxen present to a poor man, or one in moderate circumstances commencing farming, are so great that nothing but ignorance or vanity amounting to the grossest absurdity can induce him to wish for horses. I have known many farmers who began the world with a good outfit, and who died bankrupt—from no other cause than having kept too many horses, or who have shuffled on through life with their noses to the grindstone, till their heads were gray, and the marrow dried in their bones. This horse mania pervades the whole earth, China excepted; and the Chinese, the wisest people on the face of our planet have long since abolished the use of horses, where men or oxen can perform the service. The Norwegians rank next, because they eat them.

There is no one circumstance which retards the population of Pennsylvania so much as the excessive multiplication of horses. They occupy thousands of acres that ought to be occupied by men. They raise the price of grain on the poor, because by consuming so much there is a corresponding increase of price, and no diminution in the price of meat. Decrease the number of horses, increase the number of oxen, look upon him with suspicion who kills a calf; grain and meat will be cheaper and population greater. This position could

easily be demonstrated, but this is no place for it. I hope nevertheless the first direct tax laid by the general government will be on horses! Let it not be supposed, however, that I am desirous of proscribing our noble favourite. I am only opposed to this inordinate multiplication, because I am satisfied it conflicts with the multiplication and happiness of the human species; and as it is said that horses have no souls, and that men have souls, we certainly ought to be most desirous of propagating the animal with a soul, provided he can find out a way whereby a majority of them will not be damned. There are many uses to which the horse is peculiarly adapted, and to those uses he should be assigned and to no other, he never should be permitted to usurp the province of an ox.

The most conclusive way of settling this controversy between the horse is to ask a wise man or a wise nation this question, "Were you compelled to relinquish forever the whole tribe of horses or the entire breed of neat cattle, which would you hold on to?" Would not a wise man answer thus, "The ox requires but little care and little feed that would sustain a man; he can draw a plough or a wagon as well as a horse; when he is dead his meat furnishes sustenance to me and my family, his hide furnishes protection to my feet winter and summer, his horns are useful for many purposes, his bones produce a valuable oil, the turner will purchase them, or, I can grind them and enrich my soil, his hair is necessary in constructing my dwelling, his entrails can be converted into soap or glue, his very hoofs are valuable; I will not part with an animal, every part of which is necessary to my comfortable existence; and you may take the horse as the least valuable thing of the two, and which, as he is the principal instrument in war, so is he often the cause of war and tumult.

(Concluded in our next.)

#### NOTES OF A TRAVELLER.

When I wrote you from Ebensburg, on the 18th inst. I intended to have continued my observations in the manner I had commenced them, in reference more particularly to Internal Improvements, which is a subject that had engrossed the attention of the people almost exclusively, until the news of the failure of the loan reached them. I shall now alter my plan, and conclude with a few additional remarks.

Ebensburg is a flourishing village, on the top of one of the ridges of the Alleghany mountain; not far from the projecting canal, and rail road—there is a considerable body of fine well-timbered land in its neighborhood, and the population of the town and country for several miles around, is composed chiefly of an industrious, moral and thriving set of people from Wales, who are remarkable for sobriety and industry. Indiana is also a thriving village—and Kittanning, which is located on the Alleghany river in Armstrong county, is progressing in population and wealth, to a considerable extent. On the road from Indiana, which is travelled by regular four horse stages, the country exhibits a fair appearance, enlivened by many well cultivated tracts of land, inviting the emigrant to become proprietor of the soil, on very moderate terms. In travelling thus far, I am fully convinced that the western lands of Pennsylvania, which are but thinly settled, offer greater advantages to the settler, than any other portion of the United States, on equal terms of purchase, particularly in Cambria, Indiana, Armstrong, Venango, Mercer, Crawford, and Erie; counties; and when the canal and rail road shall be completed, the advantages will be more obvious, than they now appear to be, for it is a fact, that until these improvements are successfully completed, confidence will not be fully maintained—but when completed, it is very probable, every body will be in quest of a farm or a town lot, producing by competition prices far beyond their present value. It is a true and old adage applicable to the present case, that "no people are more blind than those that wont see."

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In many counties of this state, there are large bodies of land belonging to *citizens of Philadelphia*, that never have been, and never will be, of any real value to the owners; who, either from misrepresentations, or want of proper information, have paid, and continue to pay taxes on them, to a very large amount, into the State Treasury, to their own positive loss. Let them, to avoid these serious losses hereafter, appoint an agent, on whose judgment they can rely, to explore and examine the quality and situation of their lands, and report faithfully and honestly as the fact may be; or let them come and view them with their own eyes—in either of which cases, I have no hesitation in saying, a large portion of them will be voluntarily relinquished to the state, in preference to the continued payment of taxes, which are now heavily assessed, upon all of them—ask a countryman in the neighborhood of inaccessible mountains, or miserably poor lands not worth a groat, to whom they belong. His reply immediately and of course, follows, why to the people of Philadelphia to be sure, who else should they belong to? No countryman would own such lands! and no Philadelphian in his sober senses, would continue to own them another year, or another hour, if he knew their situation and quality! Why then throw away thousands, and tens of thousands of dollars annually, in the payment of taxes, on *valueless land*? Good lands, however, are good property, increasing in value with the *march of improvement*—(I mean when improvements march on again) and they will continue to be good property, as long as we are true and honest to ourselves, and understand our own interests, by the appointment of efficient and honest men to conduct the great affairs of the commonwealth, free from political rancor, and the destructive system of UNNECESSARY REFORM!—*U. S. Gaz.*

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### EARLY SETTLEMENTS ON DELAWARE.

*Governor Stuyvesant's Answer by Captain Hill, &c.*

Sir—Even now we received yo of ye 20-30 August by yor Deputie Capt Wilm Hill Robert Needham and Matthias Nicoll concerning (weh if it please God) we shall fully answer you to morrow mean time we salute you and commend you to ye protection of God and rest Sir your affectionate friend and Servant

P: STUYVESANT, *Amsterdam,*  
*September 1st New Stile, 1664.*

*Governor Stuyvesant's Answer to ye Lre of Summons.*

My Lord—Your 1st Lre unsigned of 20-30 August together with that of this day signed according to forme being the 1st Sept have been delivered into or hands by yor deputies unto which we shall say that the rights of his majtee of England unto any pte of America hereabout; amongst the rest unto the Colonys of Virginia Maryland or others in New England whether disputable or not is that which for the present we have no design to debate upon But that his matee hath an indisputable right to all lands in the north parts of America is that which the Kings of France and Spain will disallow as we absolutely doe by virtue of a commission given to me by my Lords the high and mighty states geneall to be governor generall over New Holland the Isles of Curaco Bonair Aruba with their appurtenances and dependances bearing date 26th July 1646 as also by virtue of a grant and commission given by my said lords at the high and mighty states generall to ye West India Company in the year 1621 with as much power and as authentique as his said matie of England hath given or can give to any colony in America as more fully appears by the patent and commission of the said lords the states geneall by them signed registred and sealed with their great seal which were shewed to your deputies Coll George Cartwright Capt Robert Needham Capt Edward Groves and Mr Tho Delavall by which commission and

patent together (to deal frankly with you) and by divers Lres signed and sealed by our said lords the states general directed to several persons both English and Dutch inhabiting the towns and villages on Long Island (which without doubt have been produced before you by those inhabitants) by which they are declared and acknowledged to be their subjects with express command that they continue faithful unto them under penalty of incurring their utmost displeasure wch makes it appear more clear then the sun at noon at noon day That yor first foundation viz That the right and title of his majesty of Great Brittain to these parts of America is unquestionable is absolutely to be denied, moreover its without dispute and acknowledged by all the world that our predecessors by virtue of the commission and patent of the said lords, the states generall have without controul and peaceably (The contrary never coming to our knowledge) enjoyed ffort Orange about 48 or 50 years and ye ffrish water river about 36 years Touching the second subject of your Lre vizt his matie hath commanded me in his name to require a surrender of all such fforts towns or places of strength which are possessed by the Dutch under yor command we shall answer That we are so confident of the discretion and equity of his matie of Great Brittain that in case his majestie were informed of the truth wch is that the Dutch came not into these provinces by any violence but by virtue of commission from my lords the states generall first of all in the year 1614, 1615 and 1616 up the North River near ffort Orange whereto hinder the invasions and massacres commonly committed by the *Sakages* they built a little ffort and after in the year 1622 and even to this present time by virtue of Commission and grant to ye governor of the West India company and moreover in the year one thousand six hundred and fifty six a grant to ye Honb. the Burgomaste of Amsterdam of the South River insomuch that by virtue of the above said commission from the high and mighty states generall given to the persons interested as aforesaid and others these provinces have been governed and consequently enjoyed as also in regard of their first discovery uninterrupted possession and purchase of the lands of the princes natives of the country and other private persons (though gentiles) Wee make no doubt that if his said matie of Great Brittain were well informed of these passages he would be too indidious to grant such an order principally in a time when there is so strait a friendship and confederacy between our said lords and superiors to trouble us with demanding and summons of the places and fortresses wch were put into our hands with order to maintain them in the name of the said lords the states generall as was made appear to your deputies under the names and seal of the said high and mighty states generall dated 28th July 1646 Besides what hath been mentioned there is little probability that his said matie of England (in regard the articles of peace are printed and were recommended to us to observe seriously and exact by a Lre written to us by our said lords the states generall and to cause them to be observed religiously in this country) would give order touching so dangerous a design being also so apparent that none other then my said lords the states generall have any right to these provinces and consequently ought to command and maintain their subjects and in their absence we the governor generall are obliged to maintain their rights and to repell and take revenge of all threatenings injustice attempts or any force whatsoever that shall be committed agt their faithful subjects and inhabitants It being a very considerable thing to affront so mighty a state although it were not against an ally and confederate Consequently if his said matie (as its fitt) were well informed of all that could be spoken upon ye subject he would not approve of what expressions were mentioned in your Lre which are That you are commanded by his matie to demand in his name such places and fortresses as are in the possession of the Dutch under my government which as it appears by my commission before mentioned was given me by my lords the high

and mighty states generall And there is less ground in the express demand of my government since all the world knows that about three years agoe some English ffrigotts being upon the coast of Africa upon a pretended commission they did demand certain places under the government of our said lords the states generall as Cape Vert; River of Gambo and all other places in Guinea to them belonging upon which our said lords the states generall by virtue of the articles of peace having made appear the said attempts to his majtee of England they received a favorable answer His said matie disallowing all such acts of hostility as might have been done and besides gave order that restitution should be made to the East India Company of whatsoever had been pillaged in the said river of Gambo and likewise restored them to their trade which makes us think it necessary that a more express order should appear unto us as a sufficient warrant for us towards my lords the high and mighty states generall since by virtue of our said commission, wee do in these provinces represent them as belonging to them and not to the King of Great Brittain except his said majtee upon better grounds make it appear to our said lords the states generall against which they may defend themselves as they shall think fitt To conclude we cannot but declare unto you though the governor and comrs of his majesty hath divers time quarrelled with us about the bounds of the jurisdiction of the high and mighty the states general in those places yet they never questioned their jurisdiction it self on the contrary in the year 1650 at Hartford and ye last year at Boston they treated with us upon this subject which is a sufficient proof that his majtee hath never been well informed of the equity of our cause insomuch as we cannot imagine in regard of the articles of peace between the crown of England and the states general (under whom there are so many subjects in America as well as Europe) that his said majtee of Great Brittain would give a commission to molest and damage the subjects of my said lords the states generall especially such as ever since 50, 40 and the last 36 yeares have quietly enjoyed their lands countreys fforts and inheritances And less that his subjects would attempt any acts of hostility or violence against them, and in case you will act by force of arms Wee protest and declare in the name of our said lords the states generall before God and man that you will act an unjust violence and a breach of the articles of peace so solemnly sworn agreed upon and ratified by his matie of England and my lords the states general And ye rather for that to prevent the shedding of blood in the month of February last wee treated with Capt. John Scott (who reported he had a commission from his said matie) touching ye limits of Long Island and concluded for the space of a year that in the mean time the business might be treated on between ye King of Great Brittain and my lords the high and mighty states general and again at present for ye hindrance and prevention of all differences and the spilling of innocent blood not only in these parts but also in Europe Wee offer unto you a treaty by our deputies Mr Cornelius Van Ruyven Secretary and receiver of New Holland Cornelius Steenwick Burgmaster Mr Samuel Megapolensi Doctor of Physic and Mr James Codisseau heretofore Sheriffe as touching the threats in your conclusion we have nothing to answer only that we fear nothing but what God who is as just as mercifull shall lay upon us all things being in his gracious disposal and we may as well be preserved by him with small forces as by a great army which makes us to wish you all happynesse and prosperity and recommend ydu to his protection My Lords your thrice humble and affectionate servant and friend signed

P. STUYVESANT

At the ffort at Amsterdam 2d Sept. New Stile 1664.  
*Coll. Nicoll's Warrant to Capt. Hide to prosecute the Dutch.*

Whereas the Governor and Councill of the Dutch plantation upon the Manhatoes in Hudson River, have



in answer to a summons returned their resolutions to maintain the right and title of the states general and West India Company of Holland to their fforts towns and plantations in those parts of America I do therefore in prosecution of his majesty's service recommend to Capt Hugh Hides commander in chief of the squadron to prosecute (with the advice of the captains under his command) his maties. claim and interest by all ways and means as they shall *linke* most expedient for the speedy reducing of the Dutch under his majesties obedience and for their so doing this shall be my warrant.

Given under my hand the 24th August, 1664.

RICHARD NICOLLS  
Aboard his Majesty's ship the Guyny.

These following articles were consented to by the persons here under subscribed at the Governors Bowry August 27th old Stile 1664 (1) Wee consent that the States General of the West India company shall freely enjoy all ffarmes and houses (except such as are in the fforts and that within six months they shall have free liberty to Transport all such arms and ammunition as now do belong to them or Else they shall be paid for them (2) All publique houses shall continue for the uses which now they are for (3) All people shall still continue free Denizons & enjoy their Lands Houses goods, Shippes wheresoever they are within this country and dispose of them as they please (4) If any inhabitant have a minde to remove himself he shall have a year and Six weeks from this day to remove himself Wife children servants goods & to dispose of his lands here (5) If any officer of state or public minister of state have a minde to go for England they shall be transported fraught free in his maj'tee frigotts when there frigotts shall return thither (6) It is consented that any people may freely come from the Netherlands and plant in this country and that Dutch vessels may freely come hither and any of the Dutch may freely return home or send any sort of merchandise home in vessels of their own country (7) All Shippes from the Netherlands or any other place and goods therein shall be rec'd here and sent hence after the manner wch formerly they were before our coming hither for six months next ensuing (8) The Dutch here shall enjoy the liberty of their consciences in Divine worship and Church Discipline (9) No Dutchman here or Dutch Shipp here shall upon any occasion be preste to serve in warr, against any nation whatsoever (10) That the Townsmen of the Manhatoes shall not have any soldier quartered upon them without being satisfied and paid for them by their officers and that at this present if the ffort be not capable of lodging all the soldiers then the Burgomaster by his officers shall appoint some houses capable to receive them (11) The Dutch here shall enjoy their own customs concerning their inheritances (12) All publique writings and Records wch concerne the Inhabitants of any people or the reglem't of the church or poore or orphane shall be carefully kept by those in whose hands now they are and such writings as particularly concern the States general may at any time be sent to them (13) No Judgement that hath passed any Judicature here shall be called in question but if any conceive that he hath not had Justice done him if he apply himself to the States general the other party shall be bound to answer for the supposed injury (14) If any Dutch living here shall at any time desire to travail or Traffique into England or any place or plantation in obedience to his maj'tee of England or wth ye Indians he shall have (upon his request to the Governor) A certificate that he is a free Denizon of this place and liberty to do soe (15) If it doe appear that there is publique engagement of Debts by the Town of the Manhatoes and a way agreed on for the satisfying of that engagement it is agreed that ye same way proposed shall goe on and that ye engagements shall be satisfied (16) All inferiour civill officers and magistrates shall continue as now they are (if they please) till the customary time of new election and then

new ones to be chosen by themselves provided that such new chosen magistrates shall take the oath of allegiance to his majesty of England before they enter upon their office (17) All Differences of contracts and Bargains made before this day by any in this country shall be determined after the manner of the Dutch (18) If it do appeare that ye West India company of Amsterdam do really owe any sums of money to any persons here it is agreed that recognicon and other duties payable by Shippes going for the Netherlands be continued for six months longer (19) The officers military and soldiers shall march out with their arms Drums Beating and Colours flying and lighted matches and if any of them will plant they shall have 50 acres of Land set out for them if any of them will serve any as servants they shall continue with all safety and become free Denizons afterward (20) If at any time hereafter the King of Great Britain and the states of the Netherlands doe agree that this place and country be delivered into ye hands of the said states whensoever his majesty will send his commands to redeliver it, it shall immediately be done (21) That the towns of Manhacans shall choose Deputyes shall have free voices in all publique affairs, as much as any other Deputyes (22) Those who have any propriety in any houses in the ffort of Aurania (shall if they please) Slight the fortifications there and then enjoy all their houses as all people do where there is no ffort (23) If there be any soldiers that will goe into Holland and if the company of West India in Amsterdam or any private persons here will transport them into Holland then they shall have a safe passport from Coll Richard Nicolls Deputy Governor under his Royall Highness and the other Com'rs to defend the Shippes that shall transport such soldiers and all the goods in them from any surprisal or acts of hostility to be done by any of his majestys ships or subjects That the copies of the Kings grant to his Royall Highness and the copy of his Royall Highness his commission to Coll Richard Nicolls testified by two com'rs more and Mr. Winthrop to be true copies shall be delivered to the Hon'ble Mr. Stuyvesant the present governor on monday next by eight of the clock in the morning at the old milne and these articles consented to and signed by Coll. Richard Nicolls Dep Governor to his Royall Highness and that within two hours after the ffort and Towne called New Amsterdam upon the isle of Manhatoes shall be delivered into ye hands of the sd Coll Richard Nicolls by ye service of such as shall be by him thereunto Deputed by his hand and seale

|                              |                |
|------------------------------|----------------|
| John Dedecker,               | Robert Carr,   |
| Nich. Verlett                | Geo Cartwright |
| Sam: Megalensis              | John Winthrop  |
| Cornelius Steenwick          | Sam. Willys    |
| Oleffe Stevens, Van Kortlant | Thomas Clark   |
| James Couseau                | John Pincheon  |

I do consent to these articles

RICHARD NICOLLS.

A copie of Governor Stuyvesants consent to the articles under his hand and the publique seale

To All people Health

These are to Certify that we the Governor gen'all and councill of the New Netherlands do consent to the articles of the 6th instant agreed upon by the Commissioner appointed by us viz: Mr John Decker counceile Captain Nicholas Verlatt Commissary concerning matters of Traffique Mr. Samuel Megapolensis Doctor of Physick Mr. Cornelius Steenwick Burgomaster, Olaffe Stevans van Kortlant old Burgomaster and Mr James Couseau old Sheriffe of our parts And the Commissioners appointed by the hon'ble Colonell Richard Nicolls commander in cheife of his maj'tie of England's frigotts and forces now besieging this Towne and Garrison that is to say Sr Robert Carr Knight Geo Cartwright John Winthrop Samuel Willys Thomas Clark and John Pincheon on the other part and we have hereby ratified and confirmed them and do acknowledge this to be

our act and deed and shall do all things therein contained Dated at the fort of Amsterdam in New Netherlands. September 8th 1664

P. STUYVESANT

I certify the same  
CORNELIUS VAN RUYVEN Sec<sup>r</sup>

*Cobnell Nicolls his answer consenting to the Treaty of Surrender.*

I Colonell Richard Nicolls commander in cheif of all his maj'ties forces now beleaguering the town on the Manhatans do accept of the proposall made by the governor and his councill there residing to treat of an accommodation by articles of surrender of the said town and forts thereunto belonging under his maj'ties obedience to prevent the effusion of blood and to improve the good of the inhabitants and whereas the governor and councill are pleased to nominate and appoint John De Decker Councillor of State Nicholas Varlett Commissary concerning matters of Traffique Saml Megapolensis Doctor of Physick Cornelius Stenwick Burgomaster Offle Stevan Vankortland old burgomaster and James Cosseau old Sheriffe of this city to agree and conclude with me or my Deputies upon further articles promising they will faithfully fulfill whatsoever shall be by their forenamed commissioners promised or agreed upon in the Treaty on their partes I doe therefore on my part nominate and appoint Sir Robert Carr Kn't Coll George Cartwright Mr. John Winthrop Governor of his maj'ties Colony of Connecticut Mr. Samuel Willeys one of the cheif councill of the said colony Capt. Thomas Clarke and Captain John Pincheon commissioner from the Court Gen<sup>l</sup> of the Colony of the Massachusetts To be my sufficient Deputies to treat and conclude upon the articles of surrender of the aforementioned place promising that I will faithfully fulfill whatsoever they shall so treat and conclude upon In testimony whereof I have hereunto sett my hand and seale at the Camp before the Manhatans this 26th day of August old Stile 1664

RICHARD NICOLLS.

Tis desired and agreed upon by the Commissioners on both parts above mentioned that their meeting upon ye premises shall be to-morrow morning being the 27th of this month of August old stile precisely at 8 o'clock in ye morning at a place called the governors Bowry upon ye Manhattans

#### MAUCH CHUNK RAIL WAY.

From a correspondent who has just visited the Railway and Coal Mines at Mauch Chunk, we have received the following letter dated

"MAUCH CHUNK, June 25.

"After leaving Philadelphia we passed through a most delightful country, well cultivated, and presenting to the view beautiful scenery at every turn of the road. Allentown we found to be a thriving spot, with many good buildings in it. When about 17 miles beyond it, we came to the Lehigh Water Gap, and traversed the road leading in many places along the banks of the Lehigh Canal. The water Gap, as it is termed, is a most singular place, for it seems as if the mountains had, by common consent, parted asunder to give place to the river. On reaching the Gap, we found ourselves surrounded by steep and lofty mountains, at the foot of which we ran along a road so narrow that the horn of the driver was incessantly giving notice of the approach of the stage. At the Gap we first saw the Lehigh Canal, which follows the route of the river through the ravine. This canal is sixty feet wide at the top of the banks, from forty to forty-five at the surface of the water, and thirty-five at the bottom. The water had just been let into the whole line, and the first boats started this morning from Mauch Chunk laden with the Lehigh Coal. A more picturesque route than that from Allentown to Mauch Chunk cannot well be imagined. At one time we were in the bottom of a delightful valley, rendered more so by the fragrance of the new mown

hay, and at another half way up a lofty mountain, the upper part of which was so steep that the rocks seemed ready to fall at every instant upon our heads, while the lower part presented such an awful depth that it was far from pleasant to look down. Along the canal we saw a great number of houses that have been lately erected, and many others in various stages of completion.

The town of Mauch Chunk is situated at the confluence of the Mauch Chunk Creek and the Lehigh River. The Indian name of Mauch Chunk signifies the *Little Bear*. The town is very flourishing, being at the head of the Lehigh Canal, and the termination of the Mauch Chunk Rail Road. It contains now about 1500 souls, and is fast increasing in population. Nine years ago it was a solitary valley. At the upper end of the town, the *chute* of the Railway extends from the side of a mountain to the bed of the river, a distance of about 750 feet, descending about 34 feet in the hundred. From the Rail-road the cars are brought into a covered place, and a stout rope being attached to one it is sent down to the river, where it is emptied. The rope passes round a large drum, and as a loaded car is let down one track, it draws up an empty one on the other. The cars contain each about one and a half tons of coal, and weigh of themselves 1600 pounds. In descending from the mines fourteen cars are attached to each other, and under the guidance of one man, who sits about the middle, they come down, by their own gravity, with astonishing ease and rapidity. When they are approaching, a noise resembling the rushing of wind is heard, and all of a sudden they dart round the curved road and pass the spectator so rapidly that he cannot count them. The director sits upon the top of a car, holding the check rope, and gazes upon the stranger with as much *sang froid* as as if he were in a rocking chair. Two sets of cars, 14 in each, descend at the same time within a mile or two of each other; behind these follow three *passenger wagons*, each containing four mules. The animals seem quite unconcerned; they looked at us as they passed & went on eating. The manner in which the cars are now drawn up is a little different from that formerly in use. The mules were then placed before, and drew the cars after them; but now the mules are placed on each side of the *set* of cars, and are attached to a swingle tree which is fastened to the front of the eighth car; thus they push seven and pull seven.

On the arrival of the cars, the visitors set out in a comfortable pleasure wagon, drawn by two horses and arrive at the mines in an hour and a half. The road up the mountain is highly romantic. We were permitted to remain at the mines until the arrival of the empty cars, which afforded plenty of time to satisfy our curiosity. There were only four persons in the wagon, on our return, so that it was not heavy enough to descend with its usual rapidity. When we were ready to return, the *driver* gave the wagon a slight push and leaped in. For the first hundred feet our motion was slow, but we soon found that we were *flying*. We passed over eight miles in the space of thirty-five minutes; one mile of this we travelled in two and a half minutes, though a gentleman from the town who was a passenger with us, assured us that he had repeatedly, when the wagon was full, run this mile in *less than two minutes*. We passed it, however, at the rate of twenty-four miles per hour by our own watches. It seemed all the way as if a strong North Wester was blowing directly in our faces, but in reality there was no air stirring; for the leaves on the trees hung perfectly motionless, and besides the wind seemed to blow directly in our faces at every turn of the road. These turns were so frequent, that at no time could we see a greater distance ahead than one hundred yards.

The construction of the rail road is exactly similar to that laid on the Deep Cut of the Baltimore and Ohio Rail road for the removal of the earth. The rails are about 20 feet long, 5 inches high and 4 wide. They are set in cross pieces and wedged. The iron facing is up-



on the inner edge of the rail, and is about one inch and a half wide, and one quarter of an inch thick. The road is now getting a little out of repair, and we were shown one part, about two rods in length, where the rails were laid in an iron socket, which was let into a stone, thus doing away with cross pieces altogether. This method was only tried this spring, and is found to be so solid, and to answer the purpose so well, that it is thought the whole road will be laid in this manner when the present rails are worn out.

On reaching the summit of the mountain, we were not a little surprised at the extent of the Coal Mines. The coal is found at the distance of 12 feet below the surface, and lies in one solid black body. The extent of the mines is unknown; coal has been found in the valley immediately below the mines now worked, which is 900 feet below the summit. The coal region extends a distance of nine miles, by two in breadth, but no idea can be formed of its depth. The manner in which the mines were discovered is thus related. About 9 years ago a hunter was crossing the mountain, when he passed a tree that had been blown down. On looking into the aperture he beheld a black substance, which he soon discovered to be coal of an excellent quality.—Within that short space of time all the improvement has taken place; previously no sound was to be heard, save the howl of the wolf and the scream of the wild eagle.”

*Balt. Amer.*

#### VOLUNTEER MILITIA OF PHILADELPHIA.

Mr. Editor, Sir—Probably it would not be uninteresting to many of our citizens to know the actual state of the Volunteer Military force, of the City and Liberties of Philadelphia. I here subjoin you a list of the companies of horse, foot, artillery, &c. which I believe to be as correct as can be obtained.

|                           |    |    |    |
|---------------------------|----|----|----|
| Horse.—First City Troop   | 15 | to | 20 |
| Second City Troop         | 12 | to | 15 |
| Third, Washington Cavalry | 40 | to | 50 |
|                           | 67 |    | 85 |

|                         |         |
|-------------------------|---------|
| Artillery.—State, about | 50      |
| Pennsylvania            | 20      |
| Junior                  | 50      |
| Jackson                 | 50      |
| Phalanx                 | 30      |
| Washington Greys        | 25 a 30 |
|                         | 230     |

|  |    |
|--|----|
| Infantry.—N. Liberty Volunteers, about | 40 |
| Penn Township Guards                   | 40 |
| Jackson Guards                         | 25 |
| Monroe Guards                          | 40 |
| State Guards                           | 40 |
| First Company State Fencibles          | 50 |
| Second Company State Fencibles         | 40 |
| Philadelphia Light Infantry            | 30 |
| National Light Infantry                | 30 |
| City Phalanx                           | 30 |
| Washington Blues                       | 30 |
| Lafayette Light Infantry               | 30 |
| Lafayette Guards                       | 40 |
| Hibernia Greens                        | 30 |
| Caledonia Blues                        | 30 |
| Philadelphia Greys                     | 50 |
| Citizen Volunteers                     | 35 |
| Governor's Guards                      | 25 |
| Montgomery Guards                      | 40 |
| Philadelphia Cadets                    | 35 |
| Washington Fencibles                   | 40 |
| Two companies Riflemen                 | 50 |
| Independent Volunteers                 | 35 |
| Pennsylvania Guards                    | 30 |

865

#### RECAPITULATION.

|   |      |
|---|------|
| Artillery                                     | 230  |
| Horse   | 67   |
| Infantry and Rifle,                           | 865  |
| Thirty-five Companies in all.— <i>Aurora.</i> | 1162 |

#### PENNSYLVANIA HORTICULTURAL SOCIETY.

The first semi-annual “Exhibition of fruits, flowers and plants,” of the Pennsylvania Horticultural Society, took place at the Masonic Hall (Chestnut-street) on the 6th. day of June, 1829.

The establishment of this Society has been too recent to present an exhibition of productions of its own. In placing before the public a rich display of individual taste, skill and liberality, the society designed to offer the most agreeable inducements to the cultivation of horticultural science, and the most convincing proof of the success which will attend a cordial and combined effort in the cause. The climate and soil of Philadelphia are adapted to a great variety of vegetable productions. The habits of the community are congenial to the pure and primitive employment which consists in the cultivation of them. Sufficient experiment has been made to give zest and relish to the pursuit, and to afford a certainty during its progress and in its result of a rich return in health and innocent enjoyment. The advantages of our position are scarcely to be surpassed. They combine a prolific soil, abundant and salubrious waters, fertile meadows and extensive pastures; and they produce fruits and flowers of peculiar excellence and countless variety. Our country has been recently pronounced in a foreign journal to be “rich beyond all others in stores of botanical wealth.”\* These uncommon gifts of nature emphatically require and deserve the fostering care of art. Private and individual enterprise has advanced them to an extent equally creditable to the parties and beneficial to the public.—But it is far short of what may be expected from united exertions, in which numbers may contribute their respective shares of knowledge and experience to the general stock; and each shall strive in generous emulation to excel his brethren in the warmth of his zeal, and the merit of the productions which nature shall have yielded to his hand. To inspire this zeal, to multiply the sources of information and bring them within reach, and to afford the means of obtaining the most effectual mutual assistance in the prosecution of the same interesting object, the Horticultural Society of Pennsylvania has been formed.

If gardening be an art (and who can doubt it that sees the improvement of which almost every plant is susceptible?) it must derive advantage from study and experience. The Society now established proposes to collect principles of instruction from every region, and specimens of the fertility of the earth from every zone, to introduce among ourselves the native productions of distant countries, and to adopt them as our own; to explore the inmost recesses of nature; to bring to light and usefulness, her concealed treasures; to try their fitness for particular soils; to multiply the rare plants, and to substitute those of higher merit for such as accident may have brought into general use. In immediate prospect, the society cherish the hope of possessing a garden in which they may unite and cultivate the productions of every section of the globe. There the farmer will behold the assembled variety of grains and grasses—and the gardener the widely extended family of fruits and flowers. The physician will gather new gifts for his *Materia Medica*, and even the chemist will delight in a living laboratory.—There instruction will be afforded to the enquiring gratification of the curious; refreshment to the feeble and delicate; amusement to the gay; and pure and healthful exercise and recreation to all.

\* The (London) Gardener's Magazine for 1828—page 32.

The recent exhibition collected together for a single day the fragrant and smiling offspring of the earth, in their richest odours and their gaudiest hues,—and then restored them to the possession of their public-spirited and generous proprietors. It afforded, however, a short and limited representation of what is hoped for in the continuing and extended charms of the Botanical Garden.

They who witnessed this exhibition,—and where was the beauty, and the fashion, and the taste, and the science, that did not regale itself amidst the brilliant display!—enjoyed the opportunity of comparing together a greater variety of plants than has at any time before been assembled among us in a single view. They have been able to judge of the effect of particular cultivation, and to decide on its merits compared with that pursued elsewhere.—They can point out deficiencies which may be supplied, and suggest peculiar and striking excellencies, that they may be cherished and diffused.

It would be difficult to enumerate the objects that decorated the hall with a charm surpassing the effect of the most consummate art. However beautiful and delicious in themselves, description would be languid and a repetition of their thousand names would be but tedious and unsatisfactory. The visitor was alike impressed with the vivid and variegated hues which every where delighted and refreshed the eye; and with the multitude of fresh and fragrant odours which were wafted on every breeze. Nor was any perfume predominant: but each was melted into such sweet union with the rest, as to form a combined fragrance not less delicious than its own.

Among the foremost candidates for admiration, it would be inhospitable not to notice some of those which have journeyed far to become inhabitants themselves, and to multiply their successive generations in a country distant from their own. Those that are omitted are scarcely less deserving of attention and praise.

The *Aster Muscosa* would have diffused a musky scent as powerful as that which is imparted by the animal of Tonquin of Thibet, had it not been tempered with a combination of perfumes, with the pungent fragrance of the Orange and the Lemon, and the delicate sweetness of countless roses of various colors.

Great varieties of the *Magnolia* appeared in all their splendor; especially the *Macrophylla* of the south, with its flowers four feet in circumference; and leaves proportionably large.

There were also *Pelargoniums* (geraniums) of immense variety, splendid in foliage and flower.

*Pæonias* from China, rare and of delightful fragrance; and multitudes of bouquets formed of the most uncommon and beautiful flowers.

Carnations were displayed of various colours; some of these presented by Dr. Miller, were near twelve inches in circumference.

*Lilium Longiflora*, from seed presented to one of the contributors by the London Horticultural Society.

The Double White Pomegranate.

The rare and beautiful *Ruellia Persifolia*.

The magnificent and curious *Strelitzia Reginae*, queen of flowers, from the Cape of Good Hope.

A new *Euphorbia*, with bright Scarlet bractæas or floral leaves, presented to the Bartram collection by Mr. Poinsett, United States Minister to Mexico.

Curiosity was also gratified with a close and minute examination of several of the trees and plants from whose prolific branches some of the greatest luxuries are derived.

The green and the Bohea Tea, from China.

The Coffee Tree of Arabia, bending under the pressure of its berries, in their various advances towards maturity, from the green to the reddish hue.

Sugar Cane, from the West Indies.

*Ficus Elastica*, or Indian rubber tree (the Caoutchouc of commerce,) with its splendid foliage.

*Olea Europea*, producing the olive fruit.

Splendid specimens of the Sage Palm.

*Piper Nigrum*, or Black Pepper of the East Indies.

*Carolina Princeps*, or Cream Nut Tree, from Guinea.

*Testudinaria-Elephantia*, or Tottenton bread, supposed to be upwards of one hundred years old.

In a word the spacious hall was redolent with sweets, and sparkling with beauty; wherever the attention was directed, a rich fragrance courted its continuance, while some new object perpetually invited it to wander from shrub to shrub—from flower to flower.

Nor were the humble productions of our own country unworthily represented by specimens of the finest strawberries, indigenous potatoe, and other esculent vegetables.

This brilliant exhibition owes its merit to the individual patronage and contributions of gentlemen amateurs and professional cultivators.

Of the former were George Pepper, Esquire; Dr. Miller; Peter A. Browne, Esquire; Henry Pratt, Esquire; Joshua Longstreth, Esq.; Mr. Pierpoint; Samuel Wetherill, Esq.

Of the latter, Robert Carr, Esq.; Mr. D'Arras; Mr. Parker; Messrs D. and C. Landreth; Thomas Hibbert; Mr. M'Arran; Daniel Maupay.

*Extract of a letter from Lebanon, dated June 17, 1829.*

"We have been visited this afternoon about 5 o'clock, with a most terrific storm, accompanied with heavy rain, and some little hail.

"The brick meeting house at the edge of the wood near the Union Canal Company's basin, is blown down. Part of Philip Huber's house in Lebanon, and the roof of several houses are carried away. A number of large trees in the vicinity of this place are blown down.

"Report says that the roofs of 3 or 4 barns in the neighbourhood are blown off, and that Mr. Stover's brick house 1½ miles from this place was blown down."

# METEOROLOGICAL REGISTER.

JUNE, 1829.—KEPT IN CHILISQUAQUE, BY J. P. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmo. Variations. |         |
|------|------------|------|------|-------------|----|----|-------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.             | P. M.   |
| 1    | 29 5       | 29 5 | 29 4 | 80          | 85 | 88 | Clear             | Clear   |
| 2    | 29 5       | 29 5 | 29 5 | 69          | 74 | 80 | Clear             | Clear   |
| 3    | 29 5       | 29 5 | 29 4 | 68          | 71 | 73 | Cloudy            | Cloudy  |
| 4    | 29 3       | 29 3 | 29 4 | 74          | 79 | 81 | Cloudy            | Sunshn. |
| 5    | 29 4       | 29 4 | 29 4 | 70          | 82 | 85 | Cloudy            | Sunshn. |
| 6    | 29 4       | 29 4 | 29 5 | 74          | 83 | 85 | Sunshn.           | Sunshn. |
| 7    |            |      |      |             |    |    |                   |         |
| 8    | 29 3       | 29 3 | 29 2 | 73          | 82 | 64 | Cloudy            | Rain    |
| 9    | 29 5       | 29 5 | 29 6 | 63          | 69 | 73 | Clear             | Clear   |
| 10   | 29 7       | 29 7 | 29 7 | 65          | 73 | 75 | Clear             | Clear   |
| 11   | 29 8       | 29 8 | 29 8 | 66          | 72 | 76 | Clear             | Clear   |
| 12   | 29 8       | 29 8 | 29 7 | 68          | 73 | 74 | Clear             | Clear   |
| 13   | 29 6       | 29 6 | 29 6 | 70          | 76 | 79 | Cloudy            | Clear   |
| 14   |            |      |      |             |    |    |                   |         |
| 15   | 29 3       | 29 2 | 29 2 | 77          | 80 | 83 | Clear             | Clear   |
| 16   | 29 4       | 29 4 | 29 4 | 70          | 77 | 79 | Clear             | Clear   |
| 17   | 29 4       | 29 4 | 29 4 | 78          | 90 | 89 | Clear             | Cloudy  |
| 18   | 29 4       | 29 4 | 29 5 | 68          | 71 | 74 | Sunshn.           | Clear   |
| 19   | 29 5       | 29 5 | 29 5 | 69          | 74 | 76 | Clear             | Clear   |
| 20   | 29 3       | 29 2 | 29 1 | 73          | 75 | 76 | Cloudy            | Cloudy  |
| 21   |            |      |      |             |    |    |                   |         |
| 22   | 29 4       | 29 4 | 29 4 | 72          | 80 | 83 | Clear             | Cloudy  |
| 23   | 29 3       | 29 2 | 29 2 | 70          | 76 | 79 | Rain              | Sunshn. |
| 24   | 29 4       | 29 4 | 29 4 | 65          | 72 | 75 | Cloudy            | Sunshn. |
| 25   | 29 5       | 29 5 | 29 5 | 66          | 69 | 72 | Clear             | Sunshn. |
| 26   | 29 6       | 29 6 | 29 6 | 63          | 71 | 75 | Clear             | Sunshn. |
| 27   | 29 4       | 29 4 | 29 5 | 66          | 76 | 78 | Cloudy            | Sunshn. |
| 28   |            |      |      |             |    |    |                   |         |
| 29   | 29 0       | 29 0 | 29 0 | 64          | 65 | 64 | Cloudy            | Cloudy  |
| 30   | 29 2       | 29 2 | 29 3 | 63          | 65 | 67 | Cloudy            | Cloudy  |



## Free Articles.

| ARTICLES.                     | Value.  |
|-------------------------------|---------|
| Skins and furs, . . . . .     | \$ 263  |
| Dye wood, . . . . .           | 3644    |
| Mahogany, . . . . .           | 1050    |
| Total value of free articles, | \$ 4917 |

## RECAPITULATION.

|                                      |            |
|--------------------------------------|------------|
| Total value of domestic produce, &c. | \$ 352,498 |
| Total value of foreign produce,      | 152,062    |
| Total value of Exports,              | 504,562    |

| WHERE SHIPPED TO.             | Product of the U. States. | Foreign Produce. | Total Val.  |  |
|-------------------------------|---------------------------|------------------|-------------|--|
|                               |                           |                  | Dom. & For. |  |
| Swedish West Indies,          | \$ 6549                   | 617              | 7166        |  |
| Danish West Indies,           | 41,239                    | 5063             | 46,302      |  |
| Dutch West Indies,            | 4345                      |                  | 4345        |  |
| England, &c.                  | 68,528                    | 16,858           | 85,386      |  |
| British American Colonies,    | 17,502                    |                  | 17,509      |  |
| The Hanse Towns,              | 13,481                    | 47,082           | 60,563      |  |
| Hayti,                        | 35,134                    | 1517             | 36,651      |  |
| French Ports on the Atlantic, | 9261                      | 2447             | 11,708      |  |
| Cuba,                         | 63,862                    | 26,291           | 90,153      |  |
| Mexican Ports,                | 14,582                    | 34,433           | 49,015      |  |
| Colombian Ports,              | 36,922                    | 1983             | 38,905      |  |
| Guatemalan Ports,             | 5980                      | 2015             | 7995        |  |
| Buenos Ayres,                 | 10,434                    | 2668             | 13,102      |  |
| Brazilian Ports,              | 10,206                    | 5418             | 15,624      |  |
| Madeira,                      | 3479                      | —                | 3479        |  |
| Cape de Verde,                | 1937                      | —                | 1937        |  |
| Italy and Malta,              | 270                       | 5028             | 5298        |  |
| Africa,                       | 8780                      | 642              | 9422        |  |
| Total,                        | \$ 352,498                | 152,062          | 504,560     |  |

NORRISTOWN, June 24.

The crops of grain in this county promise a plentiful harvest. The grass now about being cut down by the scythe of the mower, will realize the sanguine anticipations of the farmer. And the fruit trees, if not injured by caterpillars, which in many places have made their appearance, and commenced their work of destruction, will yield an abundance of fruit.

Last week, a head of rye, taken from a field in White-marsh township, which measures seven inches long and contains about 100 grains, was left at this office.

On Wednesday evening last, we had a severe storm, accompanied by vivid flashes of lightning and loud peals of thunder. Some time during the evening the lightning struck the gable end of the Presbyterian meeting-house in this borough—broke all the lights in three windows, cracked the wall, and did some other trifling injury—the whole expense, we have been informed, will not amount to more than 15 or 20 dollars to repair the damage.—*Herald*.

The new Express Line of Post Coaches, between this City and Easton, Pa. left Easton at 4 o'clock this morning, arrived in this city at 10 o'clock, performing the route in six hours and 30 minutes, which is half an hour less time than the route was ever performed by any other line, and from three to six hours earlier than the same route was performed previous to this line being established.

U. S. Gaz.

Mr. Editor:—A meteor of rather singular character made its appearance in the heavens last night, between the hours of eleven and twelve o'clock. As a great number of your readers, owing to the lateness of the hour, had not an opportunity of observing it, I shall endeavour to give some description of it.

It arose apparently from the neighbourhood of the Schuylkill, and passing over Kensington and the river Delaware, finally disappeared behind the woods of Jersey. A long trail of light, like that of a shooting star was seen to follow it in the beginning of its ascension; large sparkles separated themselves from it and descended slowly, were distinctly visible until hidden from view by the tops of the houses. Its motions were rapid, irregular, and wavering, like the fluttering of a kite or the rocking of an air balloon. Its appearance was of a deep red colour, and remarkably brilliant, seemingly of about half the size of the moon. It arose until it crossed the Delaware; when it appeared but an inconsiderable speck scarcely discernable, and then descended with astonishing velocity until within a short distance of the horizon, where it remained stationary for a few moments. Suddenly it became exceedingly large and brilliant, sparkles again separated from the main body, and descended as before. It soon after became dim and disappeared behind the trees. Altogether, I should suppose it was visible about fifteen or twenty minutes.—*Aurora*.

Friday morning, July 11th, 1829.

## Dividends declared for the last six months:—

|                                   |              |
|-----------------------------------|--------------|
| United States' Bank.....          | 3½ per cent. |
| Atlantic Insurance Company.....   | 6            |
| Life Insurance Company.....       | 3            |
| Schuylkill P. Bridge Company..... | 2 61-100     |
| Cumberland Bank, N. J.....        | 3            |
| Salem do do.....                  | 3            |
| Trenton do do.....                | 3            |
| North American Bank.....          | 2½           |
| Marine Insurance Company.....     | 4            |
| Bank of Pennsylvania.....         | 3            |

MILTON, Northumberland Co. July 2.

We were visited on Sunday morning last, by a terrific storm of wind, rain and hail; since which time the weather has been so cold as to make fires, greatcoats, and all the accompaniments of January very comfortable.

PITTSBURG, June 29.

*The Canal*.—The water reached the Allegheny Locks, on Wednesday last, but, owing to soakage, leakage, and evaporation, not in sufficient quantity to fill the locks for the purpose of navigation. Active exertions are making to remove these difficulties, which, on a line of 80 miles, were naturally to be expected; and it is confidently anticipated that in a very short time the whole line of canal from Blairsville to this city will be in good condition for navigation. There is no feeder for the last 36 miles. Experience will probably show that Deer creek will necessarily have to be used for that purpose.

On Saturday morning last, the Packet Boat, Gen. La-cock, left this for Freeport, with a number of the citizens on board. It arrived here on Sunday morning last, and departed yesterday.

*Large Slates*.—We mentioned a short time since, that a large piece of slate had been discovered in this county. We had the pleasure of seeing another a few days ago, from Moore township. It is 16 feet in length, 6 in width, and not over 4 inches thick. *Easton Argus*.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 4.

PHILADELPHIA, JULY 25, 1829.

NO. 82.

## BEDFORD COUNTY.

[From The American Farmer.]

(Continued from page 41.)

73, 74. Neither asses or mules are worked or bred among us.

75 to 82. We have no slaves nor do we boast of an exemption from that which it would be degradation to be subject to. Such a miserable thing as a slave, and such an arrogant thing as the master of a slave are unknown to us. We are all free as the pure unfettered mountain air that we breathe, and we intend to continue so.—Nevertheless, some wretched creatures who have escaped from their masters in the neighboring states occasionally seek refuge here, but they are habitually dishonest and lazy. Not one in a hundred will earn what he eats. They have a repugnance to rural occupations, and notwithstanding their dread of discovery, they resort to the towns and congregate with persons as worthless as themselves. On the whole, one white man raised in the country, is worth, one year with another, four black men raised in slavery. A white man works as well when his employer is absent as when he is with him, a negro must be eternally goaded to his work.

83 to 86, inclusive. The usual wages for a good hand, when boarding and lodging is provided, is from \$5 to \$7 per month: If by the day, from 31 to 37½ cents. We seldom reap our grain. It is generally cradled.—The cradler gets 75 or 80 cents a day, the raker half as much, and the binder the same as a raker. Grain is seldom cut by the acre. It has been done in a few instances and then the workmen got \$1 25 per acre for wheat, rye and oats. They housed the grain and found themselves. The wagon and team was provided by the owner. For mowing an acre of meadow grass we pay 40 cents, and for clover not more than 37½. But this kind of work is usually done by the day, and then the price varies from 37½ to 50 cents per day.

87. Grain is generally threshed with the flail. If the workman is found in boarding and lodging he gets the tenth bushel all round of wheat, rye and oats; if he provides himself he gets the ninth.

88. A good hand can reap an acre of wheat in a day. They reap through, bind back and shock in the evening.

89. A good hand can cradle four acres of wheat, rye or oats, but then he must have his raker and binder after him. Thus there is but little difference in the expense of reaping and cradling, because a reaper usually gets 50 cents, and a cradler 75 or 80 cents, and a cradler will not do much more than three reapers, and never as clean harvested.

90. An acre and an half of meadow land and two acres of clover is a day's work for a scythe.

91, 92. The number of bushels a man can thresh in a day depends on the quality of the crop. If the grain is good about eight bushels of wheat and fifteen bushels of oats.

93. The food of the agricultural labourer, or *help*, as they are called, is the same as that of their employer.—No farmer in Bedford county could get a hireling if he made any distinction, and the entire family, maids, men, children, wife and master, eat at the same table. The quality of the fare depends on the circumstances of the

master; usually it is coffee, wheat bread and bacon, fresh meat, poultry, or salt fish, for breakfast. Wheat bread, bacon, fresh meat or poultry, with abundance of vegetables and pies, with a glass of whiskey, for dinner. Tea, the same sort of meat and bread, for supper, sometimes mush and milk in winter.

94. In summer farmers work from sunrise to sunset, allowing an hour or an hour and an half for breakfast, and the same for dinner. In winter they breakfast by candle light, and join their work at the first dawn of day; they are called to dinner, eat and go to it again.

95, 96. Such a domestic as an English butler is unknown to the Bedford farmers, and servants almost as much so. They adopt the admonition given by Martha Trapbois to Glenvarlock: "The wise man is his own best assistant," and are aware that no man is truly independent who depends on the labour or fidelity of others for his comfort.

97. The wages of maids vary from 50 to 75 cents a week.

98. A few spirited individuals are adopting the use of lime, clover, gypsum, and a more advantageous and less exhausting course of crops. The culture of clover is rapidly increasing. It has been the custom heretofore to crop the land as long as it will produce any thing, and no means taken to renovate it. This destructive system is to be attributed to the peculiar circumstances of the country. Bedford has been principally settled by emigrants from Europe, the lower part of this state from Maryland and New Jersey.—They were generally very poor, and had barely the means of reaching here. There were large tracts of unseated lands in all parts of the country, the property of persons living at a distance, some of them in England. On this land the emigrants *squatted*. They constructed wretched cabins of logs, with clap-board roofs, to shelter their heads from the rigor of the season. The floor sometimes consisted of earth, sometimes of punch-corns; a partition was unknown; the single room served the purpose of a kitchen, eating room, work shop, and bed chamber, for the family. Perhaps an equally wretched hovel contained their horse and a cow or a hog. The first year a patch was cleared for potatoes and corn. Next year a field for wheat. The labour of clearing land fit for the plough is prodigious, and to open a farm of a hundred acres is the work of years.—Many years must necessarily be passed in painful toil before enough is cleared to maintain a family and keep a pair of horses. In the mean time the first cleared was worn out. Add to this the perpetual apprehension the squatter is under of being removed by a non-resident landholder, from the spot of his affections, the spot where he has struggled and toiled from youth to age, suffering all the privations to which a pioneer of the forest is subject—and we will cease to condemn the bad buildings and bad husbandry of our people.

In order that the matter may be rightly understood, it is necessary to take a *coup de œil* of Pennsylvania tenures.

Charles II. granted the state of Pennsylvania to William Penn, by a charter, who held it in free and common soccage by fealty alone in lieu of all other services. The purchasers from Penn held of himself and his heirs, "by such services, customs and rents, as to him or them

should seem fit, and not immediately of the crown," the Penns covenanting to extinguish the Indian title. The tenures under Penn have therefore been said to be by a kind of rent service. A complete title consists in a warrant, survey, patent and possession, and then the allodium is in the purchaser.

In the early settlement of our state, bodies of forest land were taken up by companies and individuals on speculation, who never contemplated settlement or improvement, but who purchased with a view of holding them until a rise in the price would pay them a heavy interest on their capital. This speculation business has retarded the population of Pennsylvania more than any other local cause. Some lands in this county, surveyed in 1763, are yet a wilderness.

As the eastern part of the state became more thickly settled, and lands became difficult to acquire, the poorer farmers moved *out back*; that is, to the west, and finding uncultivated lands without a claimant they *squatted* on them, erected temporary buildings & began to raise grain. These were joined by emigrants from the adjoining states and from Europe, and in process of time became a numerous and formidable body of men. When the proprietors discovered the intruders, they brought suits in ejectment against them. In some instances the squatters took leases and became tenants; in other cases they held out and plead to the declaration; relying on defect of title in the plaintiffs, or on a possession of 21 years. An actual, adverse bona fide, uninterrupted possession of 21 years, without the shadow of written title, will cut out the best office title in Pennsylvania. Actual settlement and improvement have at all times been peculiar favorites of the legislature, of courts and juries, and where non-residents brought suit against actual settlers, if a flaw could be picked in the title the plaintiffs were mulct in costs. However, the title generally was good, and the squatters aware that nothing short of 21 years' possession could protect them, expended nothing in improvement, and scalped the land. This is one cause of the absence of good husbandry in Bedford.

Again, tenants leasing from year to year have no inducement to erect costly and permanent buildings, or sow artificial grasses, because there is no certainty of their enjoying the benefit of their labour. Those two causes produce a wretched state of agriculture, the poverty of farmers, the absence of education and polite manners.

Those obstructions to every thing desirable are diminishing. Titles are becoming better ascertained, suits in ejectment are fewer, and the landlords desirous of selling and giving the preference to the tenants, and making the payments favourable. In justice to the non-residents, it ought to be observed, that with one solitary exception, I have never known a tenant treated with severity, but every indulgence has been extended to them to enable them to pay their rent, or the purchase money if they have contracted for the land. We may fairly hope to see Bedford from this time forward progressing as rapidly in agricultural improvement as she is in population.

99. Very little advancement has been made in improvement of stock, because too much dependence is placed in the woods for pasture, and the policy of the general government possesses no stability; white oak leaves and hickory buds never make good cattle. People must sow more clover, and plough less, before they can raise good stock; & they must have more confidence in the government, before they will go to the expense of purchasing the improved breeds. The improved breed of hogs from Chester county has been introduced, and Merino sheep, but the extent of the latter is limited. Our cattle are little better than highland stags.

100. The price of unlocated lands, bought of the government of Pennsylvania, is at present \$26 67 per 100 acres. It has varied at different periods, having been 50 shillings currency per 100 acres.

In states where the United States possess lands the

price is \$1 25 per acre. There are no United States lands in Pennsylvania. The United States owned a tract on Lake Erie, including Presque Isle, which was not deemed to have been conveyed to Penn by Charles; and by deed dated March 3, 1792, the United States, for the consideration of \$151,640 25, conveyed the Lake Erie tract to Pennsylvania, and thus extinguished the claim of the general government to lands within this Commonwealth forever.

The public lands of this Commonwealth formerly belonged to the Penn family under the charter of Charles; but in 1779 the Assembly by act, made for that purpose, divested them of the lands, and vested them in the commonwealth, and abolished quit-rents, reserving to the Penns, the proprietary tenths or manors then actually surveyed and their private estates. To the lands thus divested the United States never had any claim — Had the Penns continued to possess Pennsylvania, they would at this time have been the richest family in the world.

101. Every landholder lives by the sweat of his brow.

103. There is a bank here, or the ghost of a bank. — It has been endeavouring to wind up its concerns for several years.

104. It is hazardous to attempt to establish the comparative fertility of soil in the eastern and western states. The corn on Lake Champlain appeared to me not worth raising. In some parts of New York it is as good as in Pennsylvania. I have heard it said in Lancaster county by experienced farmers, that one year with another 25 bushels shelled corn was a good yield; and Lancaster is proverbial in Pennsylvania for fertility of soil and excellence of tillage. It is not uncommon on the Ohio, Mississippi, Missouri and their tributary streams, to raise 75 bushels shelled corn to the acre. An aged farmer, on what is called the American bottom, in Illinois, told me, that having raised corn on the same land for 30 consecutive years, he tried a corner of it in wheat, and it grew rank, taller than a man's head, moulded and produced no grain. Maurice Birkbeck estimated the produce of corn at English prairie at 50 bushels per acre. In Louisiana they raise two crops of corn in a year. The Ma-ta-po-ny bottoms in Virginia approaches the fertility of western lands. There are, however, large tracts of barrens in the western states, particularly on the *Grande Rivier la Platte*. Were I to venture a guess, I should say the best lands on the Missouri and Mississippi produce twice as much as the best lands in Pennsylvania, east of the mountains, provided no manure or other artificial means are used to produce a crop, the plough and hoe excepted.

106. I have made some inquiries respecting the proportion of births to marriages. The following is the result of inquiries made of twenty of my neighbours, taken promiscuously as opportunity offered, and without making any selection, excepting only families the heads of which were not above the middle age. Many of them have not arrived at the age of forty. In cases where the women are old and past child-bearing, I have affixed the letter O; where there is a probability of their having more children they are marked B. It is impossible in our country to answer the rest of the query.

|              |              |
|--------------|--------------|
| No. 1, 10 B. | No. 11, 9 B. |
| 2, 8 O.      | 12, 10 O.    |
| 3, 10 O.     | 13, 3 O.     |
| 4, 8 B.      | 14, 9 B.     |
| 5, 6 B.      | 15, 9 B.     |
| 6, 9 B.      | 16, 7 O.     |
| 7, 8 B.      | 17, 12 O.    |
| 8, 15 O.     | 18, 10 B.    |
| 9, 17 O.     | 19, 15 O.    |
| 10, 11 O.    | 20, 17 O.    |

Total number of births, . . . 203

The result is 10 3-20 to a marriage, which is truly astonishing and cannot hold throughout the state. I am much inclined to rely on the estimate of Dr. Franklin,

which was 8 to a marriage. It is certain the proportion of births to marriages is greater in thinly settled countries than in cities and more densely populated districts.

THOMAS B. McELWEE.

BIOGRAPHICAL MEMOIR OF  
MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 38.)

On the 21st June, the Commander in chief thus addressed General Wayne.

Smiths in the Clove, June 21st, 1779.

Dear Sir,—

I request that you will join the army as soon as you can. I wrote you upon this subject before we marched from Middlebrook. But as you have not arrived, it is probable my letter has miscarried, or that it did not come to hand until very lately.

I am, dear Sir, with great regard,

Your most obedient servant.

GEORGE WASHINGTON.

GENERAL WAYNE.

His excellency's conjecture, as to the miscarriage of his first letter, was correct; by an autograph of General Wayne's on the back of the last letter, the former was never received.

The General in obedience to the call, immediately proceeded to Head Quarters. It appears from a letter addressed to his family, that neither himself nor waiter enjoyed an hour's sleep until their arrival at camp.

Marshall, in his life of Washington, says:—"The importance of the posts of King's ferry has been already remarked. The inconvenience resulting from their being in possession of the British, furnish strong motives for endeavouring to recover them, but there were others of decisive influence; which stimulated the commander in chief to the attempt.

The enterprise if successful, would have a great effect on the future operations of the campaign, particularly in recalling the troops employed in laying waste the country, and burning the towns on the coast. Nor was it unworthy of regard, that a real necessity seemed to exist of doing something to satisfy the public expectation, and to reconcile the people to that defensive system which the state of the army rendered unavoidable, and to that apparent inactivity which was imposed on him by the real necessity of his situation.

In his original plan was comprehended a double attack, to be made at the same time on both sides of the river. But the difficulty of a perfect co-operation of different detachments, incapable of communicating with each other, and the apprehension that some accident might defeat the enterprise against Stony Point, which was the principal object to be gained, and was believed to lead *certainly* to the possession of Verplank's, determined him to *postpone* the less valuable acquisition, and to make that part of the plan dependant on the success of the first. *His whole attention* was therefore turned to the surprise of Stony Point, and the corps destined for their critical service proceeded on it as against a single object. To General Wayne, who commanded the Light Infantry of the army, the execution of the plan was entrusted."

"Stony Point," says the same writer, "is a commanding hill projecting far into the Hudson, which washes three-fourths of its base. The remaining fourth is, in a great measure, covered by a deep marsh, commencing near the river on the upper side, and continuing into it below. Over this marsh there is only one crossing place. But at its junction with the river is a sandy beach, passable at low water. On the summit of this hill was erected the fort, which was furnished with a sufficient number of heavy pieces of ordnance.

Several breastworks and strong batteries were advanced in front of the principal work, and about half way down the hill were two rows of abbatiss. The batteries were calculated to command the beach and the crossing

place of the marsh, and to rake and enfilade any column which might be advancing from either of those points towards the fort. In addition to these defences, several vessels of war were stationed in the river, so as, in a considerable degree, to command the ground at the foot of the hill."

It is to be hoped that the following correspondence relative to the reduction of this formidable post, will be perused with pleasure, by all who are charmed with rehearsals of gallantry, and acts of humanity in the "battle storm."

To Brigadier Gen. Wayne.

New Windsor, July 1st, 1779.

Sir,—Having appointed you to the command of the Light Infantry of the line, you will immediately repair to that part of it, consisting of four battalions, now commanded by Colonel Richard Butler, which is in the vicinity of Fort Montgomery, and take the command.—The infantry of the other divisions is not yet organized, but it will be done as soon as possible, and the whole drawn together as far as the circumstances of the service will permit.

The principal object of your present station is, to oppose any movements of the enemy against the forts; for which purpose you will exert yourself to gain an accurate knowledge of the scene of action, all the possible landing places and approaches, to the forts and to your corps, with every advantageous spot for giving the most effectual opposition. You will make such disposition as appears to you best calculated to answer these purposes, and to gain the earliest information of the movements and designs of the enemy. To this end, you will endeavour to engage trusty persons, to go within the enemy's lines as spies; & I will enable you to reward them for their risk and trouble—but in doing this I need not remind you of the necessity of economy, and the greatest caution to prevent imposition.

If at any time you see a favourable opportunity for striking an advantageous stroke, you have my permission for improving it, as I rely upon your prudence, that you will under take nothing without sufficient prospect of success, and unless the advantages to be obtained will compensate the risk to be run. When you have any prospect of consequence, & *circumstances will permit*, you will please to communicate it to me, previous to execution. You will find in the hands of Colonel Butler a map of this country, taken from actual survey, which is for the use of the commanding officer of the Infantry. Colonel Butler will also communicate to you the instructions he has received, which contain my ideas more in detail. ....

It is to be regretted that time or accident has removed the closing paragraph of the above letter of instructions, but it is probably supplied by the following confidential letter of the Commander in chief, on the same subject. This is an autograph, as nearly all others from his Excellency to General Wayne actually are:—

Dear Sir,—Herewith you will be pleased to receive general instructions for your conduct. This you will consider as private and confidential. The importance of the two posts of Verplank's and Stony point, to the enemy, is too obvious to need explanation. We ought, if possible, to dispossess them. I recommend it to your particular attention, without delay, to gain as exact knowledge as you can of the number of the garrisons; the state of the creeks that surround the former; the nature of the ground in the vicinity of both; the position and strength of the fortifications; the situation of the guards; the number and stations of the vessels in the river, and the precautions in general which the enemy employ for their security.

It is a matter which I have *much at heart*, to make some attempt upon these posts, in the present state of the garrisons, and before the enemy commence any other operations, if warranted by a probability of success.

I must entreat your best endeavours to acquire the ne-



cessary information, after having obtained which, I shall thank you for your opinion of the practicability of a surprise of one or both these places, especially that on the west side of the river. I am, dear Sir, your ob't servt.

GEO. WASHINGTON.

New Windsor, July 1st, 1779.

Fort Montgomery, 3d July, 1779.

Dear General,—In obedience to your Excellency's orders, I have reconnoitred the situation of the enemy's works on Stony Point, and the approaches to them, in the best manner that circumstances would admit, and returned late last evening to this place.

The sketch, herewith transmitted, will give you a general idea of the strength of their works on the west side, which, in my opinion, are formidable; I think too much so, for a storm; and to attempt their reduction, by regular approaches, will require time as there is no ground within less distance than a mile, but which they command.

The works on Verplank's Point are by no means so formidable as those on this side; although they consist of four redoubts, viz. the one made by us, denominated La Fayette, with a fraise and ditch; the second situate to the N. W., on the rising ground, near the river, in which is a block house; the third thrown up round a strong stone house, east of Fort La Fayette, and on the margin of a rising ground, commanding the causeway from the church; the fourth is situated on the east side of the creek and marsh, on a high point of rocks, commanding all the ground in its vicinity, and overlooking the causeway; it has also a block house, these last three are surrounded with abatis, but not fraised, nor could I discover any embrasures; perhaps they fire in barbet. I am clear that the enemy have not more than —men on Stony Point, and about —on Verplank's; in all of which I am joined in opinion by Col. Butler and Major Steward, who were with me on the duty, and on whose judgment I much rely.

Upon the whole I do not think a storm practicable, but perhaps a surprise may be effected, could we fall on some stratagem to draw them out. A thought has struck me, that as no party of force has ever yet been down, or appeared to the enemy, and as I have ground to believe, that an inhabitant living near to Stony Point, acts a double part, and, of course, will give them every information in his power, which goes no further than to the usual route and number of the reconnoitring parties, they may be induced to attempt an ambuscade; or, if they should not attempt this, a few of our people appearing near, may bring a pretty strong party out in pursuit, which may give our troops an opening to enter with them.

Should your Excellency incline to reconnoitre the works to-morrow, or next day, I will have a proper disposition made of the light corps, so as effectually to cover you; or, whenever you may order it, I will attempt the surprise, in case it meets your approbation. The troops at the forest of Dane may co-operate with us, if thought necessary.

Interim, I am your Excellency's

Obedient Servant,

ANTHONY WAYNE.

His Excellency,

General WASHINGTON.

Dear Sir,—I this morning received your letter of yesterday, and I am obliged to you for your observations and the sketch you sent me.

The arrival of the southern post, expected tomorrow, will detain me here, but the next day I shall have the pleasure of being with you, very early in the morning, for the purpose you mention. You may make such a disposition of your corps as you think proper.

I am, dear Sir,

Your most Obedient Servant.

GEORGE WASHINGTON.

Head Quarter,

July 4th, 1779.

General Wayne, who was justly considered one of the best disciplinarians in the army, could not, under any circumstances, refrain from exhibiting the troops

which he commanded to the best possible advantage; thus addressed the commander in chief, respecting the interest of the corps of which he had so recently assumed the command.

Fort Montgomery, 8th July, 1779.

"I took the liberty to mention to your Excellency, the difficulty that the light corps experience in receiving the necessary supplies of clothing, not being in a situation to apply to their respective regiments for the articles which they may from time to time require.

"To remedy which, I propose the following plan,"—(It is too extensive to insert here.) "Should your Excellency think proper to adopt this mode, and give an order on the clothier general, for the articles mentioned in the enclosed return; I flatter myself that we shall have it in our power to introduce uniformity among the light corps belonging to the respective states, and infuse a laudable pride and emulation into the whole, which, in a soldier, are a substitute for almost every other virtue.

I must acknowledge that I have an insuperable bias in favour of an elegant uniform and soldierly appearance; so much so, that I would much rather risk my life and reputation, at the head of the same men, in an attack, clothed and appointed as I could wish, merely with bayonets, and a single charge of ammunition, than to take them as they appear in common, with sixty rounds of cartridges—it may be a false idea, but I cannot help cherishing it. Will your Excellency be so good as to direct Baron Stuben to furnish each officer of the light corps with a copy of his military regulations; there are but two or three in the whole corps.

Your Excellency must have observed how wretchedly our platoon officers are armed; many of them without a weapon of defence of consequence, should they ever come to a charge, in place of producing an example to their men, they must inevitably be first to give way; an example much more easily adopted than its opposite, especially by the private soldier, who cannot, very readily, conceive his honor or duty concerned, further than that of his officer, and he will be governed by his example, as well in a retrograde manœuvre, as in a pursuit.

I have no reason to doubt the bravery of any officer belonging to the corps; many of them in this respect, I have seen fully tried, and I will be answerable for their conduct, under circumstances the most appalling, if properly equipped, to meet them—which, I believe, is in our power to effect, as a considerable number of espartoons were sent forward to camp before I left Philadelphia, which must have arrived. Will your Excellency be so obliging as to order about fifty of the nearest and best, to this place, with all possible despatch, as I wish immediately to practice with them.

I am, your Excellency's  
most Obedient,

ANTHONY WAYNE.

P.S. We have nothing new, except five of the enemy's vessels sailed from King's Ferry, towards New-York, yesterday at 3 o'clock, P.M.

To this letter the commander in chief replied:—

Dear Sir, I have received your letter of this day, and a general have issued order for regulating the manner in which clothing is to be drawn for the infantry. I have, also, directed a brigade quarter master, forage master, and conductor to be appointed, though I have not assigned the duty of clothier to the first—if it should be found necessary, it can be done hereafter.

I agree perfectly, with you, as to the importance of dress, and it is my intention that the infantry shall have a pretty full supply—but, after all, our circumstances must govern. I shall speak to Baron Stuben about the regulations. I believe he has not enough ready to give a full supply, but he may, perhaps, spare a few more than he has done; one to each field officer, and one to each captain.

The espartoons, if procurable, shall be sent.

I expect to have the pleasure of seeing you in the morning, and am,

Dear Sir, with great regard,  
Your most Obedient Servant,  
GEORGE WASHINGTON.

Head Quarters,  
New Windsor.

Fort Montgomery, 9th July, 1779.

Dear General,—I could wish to draw the whole of the light corps together, in order to manœuvre them, and give the officers and men an opportunity to mix, and become acquainted with one another, as also to introduce a similarity of dress and duty. Perhaps this may be done whilst the enemy are at so great a distance, without any disadvantage; for before they could possibly effect a landing, the light corps could be detached to the different posts which they now occupy, if thought the most proper positions.

I had a person up from the vicinity of Stony Point, last evening; every thing remains as you saw it, excepting that the enemy have not sent a single party out since you were here. I have a small party of riflemen hovering about them, who have orders to keep them in constant alarm, with a promise of 20 dollars bounty, for each deserter from our army, that they take up. I have given the most pointed orders to guard against a surprise, and *not* to trust any man in that country.

I am, your Excellency's  
most Obedient,  
ANTHONY WAYNE.

From a written memorandum of General Wayne's, it would appear that the commander in chief and he had a conference on the 10th of July, which was probably the cause of the following letter:—

Head Quarters, July 14th, 1779.

Dear Sir,—I have reflected on the advantages and disadvantages of delaying the proposed attempt, and I do not know but the former preponderate. You will, therefore, carry it into execution to-morrow night, as you desire, unless some new motive, or better information, should induce you to think it best to defer it.

You are at liberty to *choose* between the different plans on which we have conversed. But as it is important to have every information we can procure, if you could manage in the mean time, to see Major Lee, it might be useful. He has been so long near the spot, and has taken so much pains to inform himself, critically, concerning the post, that I imagine he may be able to make you acquainted with some further details.—Your interview must be managed with caution, or it may possibly raise suspicion.

I am, dear Sir,  
Your most Obedient Servant,  
GEO. WASHINGTON.

General Wayne.

Fort Montgomery, 14th July, 1779.

Dear General,—I am, this moment, honoured with yours, of this day, and note the contents. I shall effect the interview in a manner the least suspicious.

*Every thing* will be in readiness the time you mention. I shall do myself the honour to enclose you the plan and disposition of attack to-morrow.

Interim, I am, your Excellency's  
most Obedient and Humble Servant,  
ANTHONY WAYNE.

His Excellency,  
General Washington.

Fort Montgomery, 15th July, 1779. }  
11 o'clock, A. M. }

Dear General,—On the 11th, Colonels Butler, Febiger, and myself, reconnoitred the enemy's works at Stony Point, in the most satisfactory manner possible; and I am decidedly of opinion, that two real attacks, and one feint, ought to be made, agreeable to the enclosed plan and disposition, which I now do myself the honour to transmit.

I perfectly agree with your Excellency, that an enterprise of this nature does not so much depend upon numbers as on secrecy and prowess; yet the mass of our soldiery will derive confidence from the reputation of numbers—from this conviction I have taken the liberty to order Col. Ball's regiment, stationed at Rose's farm, to follow in my rear, and I shall give out that the whole Virginia line are to support us. It can have no bad effect, but it may have a very happy one.

I have taken every possible precaution to secure the passes leading to Stony Point—for which purpose, I have detached three small parties of picked men, under prudent and vigilant officers, with direction to approach near the ravine a little before night, so as to reconnoitre, and fix on the proper places to plant their sentries, as soon as it is dark; also, to secure certain persons to serve as guides. I shall meet Major Lee at Clement's, or between that and Storm's.

I am pleased at the prospect of the day, and have the most happy presages of the fortune of the night; adieu, my dear General, and believe me, with every sentiment of esteem,

Your most obedient and affectionate  
Humble Servant,  
ANTHONY WAYNE.

His Excellency,  
General Washington.

*General orders and dispositions for the attack.*

The troops will march at — o'clock, and move by the right, making a short halt at the creek, or run, on this side next Clement's: every officer and non-commissioned officer will remain with, and be answerable for, every man in his platoon; no soldier to be permitted to quit his ranks on any pretext whatever, until a general halt is made, and then to be attended by one of the officers of the platoon.

When the head of the troops arrive in rear of the hill, Colonel Febiger will form his regiment into a solid column of a half patoon, in front, as fast as they come up; Colonel Meigs will form next, in Colonel Febiger's rear, and Major Hull in the rear of Meig's, which will form the right column.

Colonel Butler will form a column on the left of Febiger, and Major Murfree in his rear. Every officer and soldier will then fix a piece of white paper in the most conspicuous part of his hat or cap, as a mark to distinguish him from the enemy. At the word *march*, Colonel Fleury will take charge of one hundred and fifty determined and picked men, properly officered, with arms unloaded, placing their *whole* dependence on fixed bayonets, who will move about twenty paces in front of the right column, and enter the Sally-port marked; he is to detach an officer and twenty men, a little in front, whose business will be to secure the sentries, and remove the abatis and obstructions, for the column to pass through. The column will follow close in the rear, with shouldered muskets, led by colonel Febiger and General Wayne in person. When the works are forced, and *not before*, the victorious troops will give the watchword, — — —, with repeated and loud voices, and drive the enemy from their works and guns, which will favour the pass of the whole troops; should the enemy refuse to surrender, or attempt to make their escape by water, or otherwise, effectual means must be used to effect the former and prevent the latter.

Colonel Butler will move by the route (2) preceded by one hundred chosen men, with fixed bayonets, properly officered, at the distance of twenty yards, in front of the column, which will follow under Colonel Butler, with shouldered muskets. These hundred will also detach a proper officer, and twenty men, a little in front, to remove the obstructions, &c.; as soon as they gain the works, they will also give, and continue the watchword, which will prevent confusion and mistake. If any soldier presume to take his musket from his shoulder, or to fire, or begin the battle until ordered by his pro-

per officer, he shall be instantly put to death by the officer next him; for the misconduct of one man is not to put the whole troops in danger, or disorder, and he be suffered to pass with life. After the troops begin to advance to the works, the strictest silence must be observed, and the closest attention paid to the commands of the officers.

The General has the fullest confidence in the bravery and fortitude of the corps that he has the happiness to command. The distinguished honour conferred on every officer and soldier, who has been drafted into this corps by his Excellency, General Washington, the credit of the states they respectively belong to, and their own reputations, will be such powerful motives for each man to distinguish himself, that the General cannot have the least doubt of a glorious victory; and he, hereby, most solemnly engages to reward the first man who enters the works with five hundred dollars and immediate promotion; to the second, four hundred dollars; to the third, three hundred dollars; to the fourth two hundred dollars; and to the fifth, one hundred dollars; and he will represent the conduct of every officer and soldier, who distinguishes himself in this action, in the most favourable point of view to his Excellency, whose greatest pleasure is rewarding merit. But should there be any soldier so lost to feeling of honour, as to attempt to retreat one single foot, or skulk in the face of danger, the officer next to him is immediately to put him to death, that he may no longer disgrace the name of a soldier, or the corps, or the state to which he belongs.

As Gen. Wayne is determined to share the danger of the night, so he wishes to participate in the glory of the day, in common with his fellow soldiers.

GENERAL ORDERS:—

*Stony Point, 16th July, 1779.*

Field officer of the day, Col. Febiger—

General Wayne returns his warmest thanks to the officers and soldiers, for their coolness and intrepidity in the storm of the enemy's works, at Stony Point, between the hours of twelve and one, this morning. The perfect execution of orders, and the superior gallantry exhibited on the occasion, reflect the highest honor on the troops engaged.

The spare arms, accoutrements, tents, and military stores, are immediately to be collected and deposited in a convenient post, in charge of proper guards.

The commanding officer of artillery will attend to the execution of the orders, so far as they respect military stores.

Ensign Ballard, of Major Hull's detachment, to collect and secure the tents, &c.

At evening gun-fire, the troops to parade and the lines to be manned. The commanding officers of regiments will point out the disposition. Two hundred rank and file, properly officered, to compose the necessary guard for the night. The detail will be delivered by Major M'Cormick, who will attend the field officer of the day in forming the arrangement.

HEAD QUARTERS, }

New Windsor, July 16, 1779. }

The Commander-in-chief is happy to congratulate the army on the success of the troops under Brigadier General Wayne, who, last night, with the corps of Light Infantry, surprised and took the enemy's post at Stony Point, with the whole garrison, cannon, and stores, with very inconsiderable loss on our side. The General has not yet received the particulars of the affair, but he has the satisfaction to learn, that the officers and men in general, gloriously distinguished themselves in the attack.

He requests the Brigadier and his whole corps to accept his warmest thanks, for the good conduct and signal bravery manifested upon the occasion.

[Extract from general orders.]

ALEXANDER SCAMMELL,  
Adjutant General.

HEAD QUARTERS, }

New Windsor, 16th July, 1779. }

*Half past nine o'clock, A. M.*

Sir—I have the pleasure to transmit your Excellency the enclosed copy of a letter from Brigadier General Wayne, which this moment came to hand. I congratulate Congress on our success; and what makes it still more agreeable, from the report of Captain Fishbourn, who brought me General Wayne's letter, the post was gained with but very inconsiderable loss on our part. As soon as I receive a particular account of the affair, I shall transmit it. I have the honor to be, with great respect, your Excellency's most obedient servant,

GEO. WASHINGTON.

P. S. Gen. Wayne received a slight wound in the head, with a musket ball, but it did not prevent him from going on with the troops.

His Excellency JOHN JAY, Esq.

STONY POINT, 16th July, 1779. }

Two o'clock, A. M. }

Dear General—The fort and garrison, with Colonel Johnston, are ours.

Our officers and men behaved like men who are determined to be free. Your's, most sincerely,

ANTHONY WAYNE.

Gen. WASHINGTON.

HEAD QUARTERS, }

New Windsor, July 21st, 1779. }

Sir—On the 16th inst. I had the honor to inform Congress of a successful attack upon the enemy's works at Stony Point, on the preceding night, by Brigadier General Wayne, & the corps of Light Infantry under his command. The ulterior operations in which we have been engaged, have hitherto put it out of my power to transmit the particulars of this interesting event. They will now be found in the enclosed report, which I have received from General Wayne. To the encomiums he has deservedly bestowed on the officers and men under his command, it gives me pleasure to add that *his own conduct, throughout the whole* of this arduous enterprise, merits the warmest approbation of Congress. He *improved* upon the plan recommended by me, and executed it in a manner that does signal honour to his judgment and his bravery. In a critical moment of the assault, he received a flesh wound in the head, with a musket ball, but continued leading on his men with unshaken firmness.

I now beg leave, for the private satisfaction of Congress, to explain the motives which induced me to direct the attempt.

It has been the unanimous sentiment to evacuate the captured post of Stony Point, remove the cannon and stores, and destroy the works, which was accomplished on the night of the 18th inst; one piece of heavy cannon only excepted. For want of proper tackling within reach to transport the cannon by land, we were obliged to send them to the forts by water. The movements of the enemy's vessels created some uneasiness on their account, and induced me to keep one of the pieces for their protection, which, finally, could not be brought off, without risking more for its preservation than it was worth. We also lost a galley, which was ordered down to cover the boats. She got under way, on her return, on the afternoon of the 18th; the enemy began a severe and continued cannonade upon her, from which, having received some injury, which disabled her from proceeding, she was run ashore. Not being able to get her afloat till late in the flood tide, and one or two of the enemy's vessels, under favour of the night, having passed above her, she was set on fire and blown up.

It is probable Congress will be pleased to bestow some marks of consideration upon those officers who distinguished themselves upon this occasion. Every officer and man of the corps deserves great credit; but there were particular ones, whose situation placed them foremost in danger, and made their conduct more conspicuous. Lieutenant Colonel Fleury and Major Stew-

and commanded the two attacks. Lieutenants Gibbon and Knox commanded the advanced parties, or forlorn hopes, and all acquitted themselves as well as it was possible. These officers have a claim to be more particularly noticed.

Mr. Archer, who will have the honour of delivering these despatches, is a volunteer aid to General Wayne, and a gentleman of merit. His zeal, activity, and spirit, are conspicuous upon every occasion. I have the honour to be, with the greatest respect and esteem, your Excellency's most obedient, humble servant,

GEO. WASHINGTON.

His Ex<sup>cy</sup> JOHN JAY, President of Congress.

P. S. I forgot to mention that two flags and two standards were taken, the former belonging to the garrison, and the latter to the 17th regiment. These shall be sent to Congress by the first opportunity.

*Letter from Gen. Wayne to Gen. Washington.*

STONY POINT, July 17th, 1779.

Sir—I have now the honor of giving your Excellency a full and particular account of the reduction of this post, by the light troops under my command.

On the 15th inst. at twelve o'clock, we took up our line of march from Sandy Beach, distant about fourteen miles from this place;—the roads being exceedingly bad and narrow, and having to pass over high mountains, and through such deep morasses and difficult defiles, that we were obliged the greatest part of the way to move in single files. At eight o'clock in the evening, the van arrived at Mr. Springsteel's, within one mile and a half of the enemy's lines, and formed into columns as fast as they came up, agreeably to the order of battle herewith transmitted, (vide order.) Colonel Febiger's and Col. Meigs' regiments, with Major Hull's detachment, formed the right column. Colonel Butler's regiment, and Major Murfree's two companies the left. The troops remained in this position until several of the principal officers, with myself, returned from reconnoitering the works. At half after eleven, being the hour fixed on, the whole moved forward.—The van of the right was composed of one hundred and fifty volunteers, properly officered, with fixed bayonets and unloaded muskets, under the command of Lieutenant Colonel Fleury, preceded by twenty picked men, headed by a vigilant officer, to remove the abatis and other obstructions. The van of the left consisted of one hundred volunteers, also with fixed bayonets and unloaded muskets, under the command of Major Steward: these were likewise preceded by twenty men, under a brave and determined officer.

At twelve o'clock the assault was to begin, on the right and left flanks of the enemy's works, and Major Murfree to amuse them in front; but from the obstructions thrown in our way, and a deep morass surrounding their whole front, and overflowed by the tide, rendering the approaches more difficult than at first apprehended, it was about twenty minutes after twelve before the assault began; previous to which I placed myself at the head of Febiger's regiment or right column, and gave the troops the most pointed orders not to attempt to fire, but put their whole dependence on the bayonet, which was most faithfully and literally obeyed. Neither the deep morass, the formidable and double rows of abatis, nor the high and strong works in front and flank, could damp the ardor of the troops, who, in the face of a most tremendous and incessant fire of musketry, and from artillery loaded with shells and grape-shot, forced their way, at the point of the bayonet, through every obstacle, both columns meeting in the centre of the enemy's works nearly at the same instant. Too much praise cannot be given to Lieutenant Colonel Fleury, (who struck the enemy's standard with his own hand) and to Major Steward, who commanded the advanced parties, for their brave and prudent conduct.—Colonels Butler, Meigs, and Febiger, conducted themselves with that coolness, bravery, and perseverance,

that will ever ensure success. Lieutenant Colonel Hay was wounded in the thigh, bravely fighting at the head of his battalion.

I should take up too much of your Excellency's time, was I to particularize every individual who deserves it, for his bravery on this occasion; however, I must acknowledge myself indebted to Major Lee, for the frequent and useful intelligence he gave me, and which contributed much to the success of the enterprise; and it is with the greatest pleasure I acknowledge to you, that I was supported in the attack by all the officers and soldiers to the utmost of my wishes; and return my thanks to the officers and privates of artillery, for their alertness in turning the cannon against the enemy's works at Verplank's Point, and their shipping, which slipped their cables and immediately dropped down the river. I should be wanting in gratitude, was I to omit mentioning Captain Fishbourn and Mr. Archer, my two aids-de-camp, who, on every occasion, showed the greatest intrepidity, and supported me into the works after I had received my wound in passing the last abatis.

Enclosed are returns of the killed and wounded belonging to the light corps, as also that of the enemy, together with the number of prisoners taken; likewise of the ordnance and stores found in the garrison. I had forgot to inform your Excellency that, previous to the attack, I had drawn General Muhlenburg into my rear, who, with three hundred men of his brigade, took post on the opposite side of the marsh, and was to be in readiness, either to support us, or to cover a retreat in case of accident; and I have not the least doubt of his faithfully and effectually executing either, had there been an occasion for it. The humanity of our brave soldiers, who scorned to take the lives of vanquished foes calling for mercy, reflects the highest honour on them, and accounts for so few of the enemy being killed on the occasion. I am not fully satisfied with the manner in which I have mentioned Lieutenant Gibbon, of the sixth, and Lieutenant Knox, of the ninth Pennsylvania regiments,—the two gentlemen who led the advanced parties of each column. The first had seventeen men killed and wounded, out of twenty: the latter, though not quite so unfortunate in that respect, was nevertheless equally exposed; each behaved with an intrepidity and address that would have given credit to the oldest soldier.

I have the honor to be, with singular respect, your Excellency's most obedient, and very humble servant,

ANTHONY WAYNE.

His Excellency, Gen. WASHINGTON.

The loss sustained by the assailants fell far short of the apparent hazard of the enterprise. The killed and wounded did not exceed one hundred men. The loss of the enemy was 63 killed; Lieutenant Colonel Johnston, 4 Captains, and 20 subaltern officers, together with the remainder of the garrison, were made prisoners of war, amounting to 543. After resistance ceased, not a single British soldier experienced the effect of the American bayonet. The military stores captured were extensive and valuable.

*(Continued in our next.)*

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### EARLY SETTLEMENTS ON DELAWARE.

The following are the titles of documents which occur next in order in the society's collection, but which are here omitted as they will be found in the Register, vol. I. and II.

*A Copy of Sir Robert Carr's Commission to goe to Delaware Bay.*

*The Com'r Warrant to Coll Nicolls to goe to Delaware.*  
[See Register, vol. I. p. 36 and 37.]

*Certificate respecting a flag.*

These are to Certifye that I have received from his maj'tees Shipp the Guyny one fflagg for his maj'tees Use in this flort and there hath likewise been delivered from the said shipp one fflag more and a sea compass unto Sir Robert Carr at Delaware Bay as appears under the hand of the said Robert Carr and I desire that they may passe in his maj'tees stores in the Boatswains accompt Dated at flort Janus in New York on the Island of Manhatants this 26th day of October 1664

RICHARD NICOLLS.

*Certificate respecting Ammunition.*

These are to certifie That Capt Thomas Morley being employed by me in his maj'tees service at Delaware Bay with his shipp called the William & Nicholas he did receive of Captain Hugh Hyde Commander of his maj'tees ship the Guyny two barrels of Powder and twenty Iron shotts which was spent at the reducing of the flort at Delaware aforesaid under his maj'tees obedience I desire therefore that it may pass in his maj'tees stores in the gunners accompt of his maj'tees said shipp the Guyny Given under my hand at Fort Janus in New York on Manhattans Island this 26th day of October 1664

RICHARD NICOLLS.

*Instructions to Sir Robert Carr for the reducing of Delaware Bay and settling the People there under his maj'tees obedience.*—See Reg. vol. I. p. 37.

*Articles of Agreement between the Hon'ble Robert Carre Knight on the behalf of his my'tee of Great Brittain and the Burgomasters on the behalf of themselves and all the Dutch and Sweeds Inhabiting in Delaware Bay and Delaware River.*—See Reg. vol. I. p. 7.

*A Commission to Captain Cantwell and Mr William Tom to receive New Castle In Delaware River & Dependencies.*

Having received the place and government in the behalf of his maj'tee from the Dutch (whereof Delaware is a Dependant) These are to authorise you Capt. Edmund Cantwell and Mr. William Tom to take possession of the flort at New Castle in Delaware as also the Cannon all other stores of Warr there or any other part of the river for his maj'tees use pursuant to the articles of peace and you are upon occasion to send to any other part of the country for the rep'essing and settling any of his maj'tees good subjects in their just Rights and particularly at the Whore Kill. You are likewise to comport yourselves with the neighboring colonies in a friendly and amicable manner and for what you shall lawfully act or do in prosecution hereof this shall be your sufficient Warrant Given under my hand and seale at New York this 6th day of November in the 26th year of his maj'tees Reign Annoq. Domini 1674

To Capt EDMUND CANTWELL } E. ANDROS  
and Mr. WILLIAM TOM. }

The names of the Justices for new Castle are Mr Hans Block Mr John Moll Mr Fop Outhout Mr Joseph Chêw Mr Dirck Alberts For the river Mr. Peter Cock Mr. Peter Rambo Mr. Isreal Helme Mr. Laes Andrie-son Mr. Wolle Swain

*A letter sent to the Commissarys of Delaware.*

Gent Being confident of your willingness and readinesse for his maj'ties and your countrys service I have sent you the inclosed order authorising you who were Commissaryes at the time of the Dutch coming into these parts in July 1673 to resume your places of magistrates at New Castle in Delaware River and will not doubt of your acquitting yourselves in all respects as becomes your trust so desiring to hear at large of the state of things with you by the first opportunity I remain your very loving friend

E. ANDROS

To the Inhabitants of New }  
Castle in Delaware. }

The like Lre was sent to the Inhabitants up the river and to the Whore Kill

*An order to Crpt Cantwell and Mr. Johannes De Haas to receive the Quit rents at Delaware*

EDMUND ANDROS Esq. &c.

These are to appoint and authorise you Captain Edmund Cantwell and Mr. Johannes De Haas to receive the Quit rents at Delaware and arrears thereof together with all others duties whether Customs or Excise as were due and formerly established before the Dutch coming into this place in July 1673 As also for the Customs now as they have been since regulated and ordered By his Royal Hs. a copy whereof is herewith sent you of all which you are to return unto me a due acc't as well as of the state of all other matters relating to the revenue and government by the first convenience given under my hand and seale In New York this 4th day of November in the 26th year of his maj'ties Reign

Annoq Domini 1674

E. ANDROS.

To Capt Edmund Cantwell }  
and Johannes De Haas }

*Mr. William Toms ord'r to be clarke or Secretary in Delaware.*

These to authorize and appoint you Mr. William Tom to be Clarke or Secretary for the Towne of New Castle in Delaware River and to act in that employment as becomes the trust reposed in you and as formerly hath been practised Given under my hand in New York this 5th day of November 1674

To Mr. William Tom.

E. ANDROS.

*Captain Cantwells Power to administer an Oath to the Commissarys of Delaware*

EDMUND ANDROS Esq. &c.

Whereas I have with the advice of my Council thought fit to appoint the Commissaryes at New Castle in Delaware as also those of the court up the river and at the Whore Kill in the bay to reassume their places These are by virtue of the authority derived unto me to require and empower you to administer an oath to the said Commissarys of the respective places aforementioned or any others there who have particular trust reposed in them That they may be true and faithfull to the governmt. in their severall Employments for the wch. this shall be your sufficient warrant given under my hand and seal at New York This 11th day of November in the 26th year of his maties. Reigne Annoq Domini 1674

E. ANDROS.

To Capt. Edmund Cantwell }  
Sheriffe or Schout of Delaware River }

*Captain Cantwells order to enquire after the Kings Colour left with Captain Carre. By the Governor.*

Whereas I am informed that the Kings Colrs. at Delaware which before the Dutch coming into these parts in July 1673 were in the custody of Capt. Jno. Carre Late Deputy Governor there, who being gone out of the governmt. is supposed to have taken them with him or to have left them behind in the hands of some private person These are to empower you Capt. Edmund Cantwell to make inquiry after the said Colours and to them to demand or an account of them of the sd. Capt. Carr or any other with whom they may be and having received them to make use of the Colours in the flort and flory company whereof you are Capt. in New Castle in Delaware until further order and for so doing this shall be your warrant given under my hand at New York this 12th day of November 1674

E. ANDROS.

To Capt Edmund Cantwell

*The First Proclamation Confirming Rights and property By the Governor*

Whereas it hath pleased his maj'ty and his Royall Highnesse to send mee with authority to receive this place and Government from the Dutch and to continue

in the Command thereof under his Royall Highnesse who hath not only taken Care for our future safety and defence But also given me his command for securing the rights and propriety of the Inhabitants and that I should endeavor by all fitting means the good and welfare of this province and Dependences under his government That I may not be wanting In any thing that may conduce thereunto and for the saving of the Trouble and charge of any coming hither for the satisfying themselves in such doubts as might arise concerning their rights and property upon this change of government and wholly to settle the minds of all in gen<sup>l</sup> I have thought fitt to publish and Declare That all former grants privileges or concessions heretofore granted and all Estates legally possess by any under his Royall Highnesse before the late Dutch govern<sup>t</sup> as also all legall and Judiciall proceedings during that govern<sup>t</sup> to my arrival in these parts are hereby confirmed And the possessor By virtue thereof to remain in Quiet possession of their Rights It is hereby further declared that the known book of Lawes formerly established and now in force under his Royall Highnesse Govern<sup>t</sup> is now again confirmed by his Royall Highnesse the which are to be observed and practised together with the manner and time of holding court therein mentioned as heretofore and all magistrates and civill officers belonging thereunto to be chosen and established accordingly Given under my hand In New York this 9th day of November in the 26th year of his maj<sup>ties</sup> Reigne Anno Domini 1674

E. ANDROS

*A letter sent by the Governor unto Capt. Cantwell at Delaware about the Militia*—See Reg. vol. I. p. 93.

*A Letter from the Governor to Capt. Edmund Cantwell.* See Register, vol. I. p. 93.

*Mr. Ephraim Herman's Commission.*

EDMUND ANDROS Esq. &amp;c.

By virtue of the authority derived unto me under his Royal Highness I do hereby constitute and appoint you Ephraim Herman to be Clarke of the court of New Castle in Delaware and also of the court of Upland in the River You are therefore carefully to discharge your Duty of a Clarke according to Law and practice Given under my hand and seale in New York this 23d day of September 1676.

E ANDROS

*Capt. Colliers Commission for Delaware.*

EDMUND ANDROS Esq. &amp;c.

By virtue of the authority derived unto me under his Royal Highness I doe hereby constitute and appoint you Capt John Collier to be commander in Delaware River and Bay You are therefore to take care that the militia in the several places bee well armed duly exercised and kept in good order and Discipline and the officers and soldiers thereof are required to obey you as their commander and yourself to observe such orders and directions as you shall from time to time receive from me or other your superior officers according to the rules and Discipline of War and the trust reposed in you Given under my hand and seale in New York this 23d day of September 1676.

E. ANDROS

*Capt Colliers Commission to be Sub-collector at Delaware.*

EDMUND ANDROS &amp;c.

By virtue of the authority derived unto me I do hereby constitute and appoint you Capt John Collier to be sub collector of his maj<sup>ties</sup> customes of New Castle in Delaware and receiver of the Quit rents or other his Royall Highness revenues there, together with the river and Bay In which you are to act pursuant to Law and his Royall Highness orders for this government and to observe such orders and Directions as you shall from time to time receive from me or other your superiours off which all persons concerned are to take notice and conforme themselves thereunto accordingly ffor the

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which this shall be your sufficient Warrant Given under my hand and seale In New Yorke this 23d day of September 1676

E. ANDROS

*A Commission granted to ye Magistrates up the river Delaware*

EDMOND ANDROS Esq. &amp;c.

By virtue of the authority derived unto me I do hereby In his maties. name constitute appoint and authorise you Mr. Peter Cock Mr. Peter Rambo Mr. Isral Holme Mr. Leas Andrieson Mr. Woole Swain and Mr. Otto Earnest Cock to be Justices of the peace in the Jurisdiction of Delaware river and Dependences and any three or more of you to be a court of Judicature Giving you and every of you full power to act in the said Employment according to Law and the trust reposed in you of which all persons concerned are to take notice and give you the due respect and obedience belonging to your places in discharging of your duties This commission to be of force for the space of one year after the date hereof or till further order Given under my hand and seal in New Yorke the 23d day of September in the 28th years of his maties. Reigne Annoq Domini 1676

E. ANDROSS.

*The Delaware Magistrates Commission*

EDMOND SIMONDS Esq. &c. By virtue of the authority derived unto me I do hereby in his maties. name constitute appoint and authorize you Mr. John Moll Mr. Henry Ward Mr. William Tom Mr. Foppe Outhout Mr. John Paul Jaquett and Mr. Garret Otto to be Justices of the Peace in the Jurisdiction of New Castle and Dependences and any three or more of you to be a Court of Judicature Giving you and every of you full power to act in the said employment according to law and the trust reposed in you of wch. all persons are to take notice and to give you the due respect and obedience belonging to your places in the discharging your Duties This Commission to be of force for the space of one year after the date hereof till further orders Given under my hand and seal in New Yorke this 23d day of September 1676

E. ANDROSS

*Capt Xerper Billop to be Sub-collector of the Customes of Delaware River.*

BY THE GOVERNOR

By virtue of the authority derived unto me under his Royall Highness I do hereby constitute and appoint you Capt. Christopher Billop to be Sub-Collector of the Customs of Delaware River you are therefore carefully to discharge your duty therein particularly that nothing be in any ways imported or exported but according to acts of Parliament or to make seizures and due prosecution and if condemned one third to the informer one third to yourself and one third to the King and to give an account of your proceedings and observe such orders as you shall from time to time receive from the Chief Collector or principal officers of the Customs here and superiours New Castle the only port for all Entrys and clearing and for what you shall lawfully act or do in the premises this shall be your sufficient authority and warrant Given under my hand in New Yorke this 13th August 1677.

E. ANDROSS.

*An order appointing Mr. Ephraim Herman to be Clerk of the permits or at Delaware River &c.*

By the Governor. By virtue of the authority derived unto me under his Royal Highness I do hereby constitute and appoint you Mr. Ephraim Herman to Clerk of the permits entries and clearings ffor all duties of customes in Delaware river for which Capt Xerpher Billop is sub collector you are therefore carefully to discharge your duty therein to enter in a book and keep a fair accompt of all things [as is usuall] both in and out as past by said sub collector also to receive the Kings or Dukes third of any forfeiture for goods imported or exported contrary to acts of parliament for which this shall be your sufficient warrant Datum in New Yorke this 13th day of August 1677.

E. ANDROSS.

[To be continued.]

## IMPORTS

IN AMERICAN AND FOREIGN VESSELS, AT THE  
PORT OF PHILADELPHIA,  
For the 1st Quarter of 1829.

*Ad Valorem Articles.*

| ARTICLES.                                      | Value.  |
|--|---------|
| Blankets, - - - - -                            | \$7,660 |
| Woollen Hose, - - - - -                        | 1,250   |
| Worsted Stuff, - - - - -                       | 49,260  |
| Manufactured Wool, 33½ per cent. - - - - -     | 6,120   |
| Cottons, Colored, - - - - -                    | 156,955 |
| " White, - - - - -                             | 185,160 |
| " Hose, - - - - -                              | 25,030  |
| " Twist, - - - - -                             | 590     |
| Nankeens, - - - - -                            | 2,140   |
| Cotton Manufactured, 25 per cent. - - - - -    | 1,825   |
| Silks, from India, - - - - -                   | 3,050   |
| " Other, - - - - -                             | 8,070   |
| Cloths not exceeding 50 cents - - - - -        | 16,735  |
| " " 100 cents - - - - -                        | 35,345  |
| " " 250 cents - - - - -                        | 37,665  |
| " " 400 cents - - - - -                        | 3,075   |
| exceeding 400 cents - - - - -                  | 130     |
| Drawing Knives, - - - - -                      | 600     |
| Bridle Bits, - - - - -                         | 4,035   |
| Steelyards, - - - - -                          | 780     |
| Clothing, - - - - -                            | 155     |
| Linen, - - - - -                               | 37,620  |
| Ticklenburgs, - - - - -                        | 705     |
| Manufactured Hemp, - - - - -                   | 4,060   |
| Side Arms, - - - - -                           | 540     |
| Scythes, - - - - -                             | 7,120   |
| Wood Screws, - - - - -                         | 2,550   |
| Manufactures of Iron and Steel, - - - - -      | 102,075 |
| " Copper, - - - - -                            | 30      |
| " Brass, - - - - -                             | 2,900   |
| " Wood, - - - - -                              | 140     |
| " Leather, - - - - -                           | 4,895   |
| " Glass, - - - - -                             | 885     |
| China ware, - - - - -                          | 200     |
| Earthenware, - - - - -                         | 25,885  |
| Japanned ware, - - - - -                       | 355     |
| Plated ware, - - - - -                         | 1,095   |
| Watches, &c. - - - - -                         | 11,445  |
| Precious Stones, - - - - -                     | 120     |
| Lace, - - - - -                                | 4,545   |
| Square wire, - - - - -                         | 165     |
| Brass, in Plates, - - - - -                    | 475     |
| Tin, in Plates, - - - - -                      | 170     |
| All other goods paying 12½ per cent. - - - - - | 1,040   |
| " " " 15 per cent. - - - - -                   | 14,730  |
| " " " 20 per cent. - - - - -                   | 520     |
| " " " 25 per cent. - - - - -                   | 315     |
| " " " 30 per cent. - - - - -                   | 1,760   |
| Total, - - - - -                               | 771,970 |

*Specific Articles.*

| ARTICLES.                               | Amount.   | Value.  |
|---|-----------|---------|
| Carpeting, Wilton, - sq. yds. - - - - - | 1,066     | \$7,170 |
| " Ingrain, - - - - -                    | 7,591     |         |
| Wine, Madeira, - - - - -                | 379       | 16,724  |
| " Lisbon, - - - - -                     | 171       |         |
| " Claret, - - - - -                     | 726       |         |
| " Other, - - - - -                      | 49,243    |         |
| Spirits other than grain, - - - - -     | 33,440    | 13,175  |
| Molasses, - - - - -                     | 49,042    | 9,005   |
| Olive Oil, - - - - -                    | 21        | 10      |
| Coffee, - - - - -                       | 1,919,027 | 168,255 |
| Cocoa, - - - - -                        | 15,964    | 770     |
| Linseed Oil, - - - - -                  | 2,944     | 1,470   |
| Ochre, - - - - -                        | 28,300    | 290     |
| Chocolate, - - - - -                    | 144       | 35      |

*Imports, &c. continued.*

| ARTICLES.                                   | Amount. | Value.  |
|---|---------|---------|
| Sugar, Brown, - - - - - lbs - - - - -       | 971,418 | 54,400  |
| " White, - - - - - " - - - - -              | 228,313 | 19,995  |
| Almonds, - - - - - " - - - - -              | 21,273  | 10,310  |
| Raisins, Muscatel, - - - - - " - - - - -    | 81,154  |         |
| " Other, - - - - - " - - - - -              | 65,374  |         |
| Cheese, - - - - - " - - - - -               | 286     | 35      |
| Pimento, - - - - - " - - - - -              | 34,486  | 2,890   |
| Wool, unmanufactured, - - - - - " - - - - - | 7,243   | 2,500   |
| " manufactured, 33 p.c. sq yds - - - - -    | 5,085   | 1,670   |
| Snuff, - - - - - lbs - - - - -              | 9       | 5       |
| Indigo, - - - - - " - - - - -               | 45,393  | 78,345  |
| Cotton, - - - - - " - - - - -               | 28,201  | 3,270   |
| Corks, - - - - - " - - - - -                | 16,730  | 3,335   |
| Iron Wire, - - - - - " - - - - -            | 5,715   | 730     |
| Tacks, - - - - - M. of - - - - -            | 80      | 5       |
| Nails, - - - - - lbs - - - - -              | 15,078  | 460     |
| Mill Saws, - - - - - No. of - - - - -       | 153     | 410     |
| Anvils, - - - - - lbs - - - - -             | 24,119  | 1,240   |
| Hammers - - - - - " - - - - -               | 1,069   | 55      |
| Castings, - - - - - " - - - - -             | 26,479  | 730     |
| Iron, Pigs, - - - - - cwt - - - - -         | 42,214  | 80      |
| Steel, - - - - - " - - - - -                | 52,107  | 6,275   |
| Salt, - - - - - bush. - - - - -             | 68,634  | 8,865   |
| Coal, - - - - - " - - - - -                 | 14,080  | 2,100   |
| Potatoes, - - - - - " - - - - -             | 3,309   | 1,295   |
| Paper, - - - - - lbs - - - - -              | 96      | 20      |
| Books, other Languages, - No. of - - - - -  | 92      | 3,105   |
| " Other, - - - - - lbs - - - - -            | 2,567   |         |
| Glass, Cut, - - - - - " - - - - -           | 45      | 40      |
| " Other, - - - - - lbs - - - - -            | 37,851  | 4,715   |
| " Bottles, - - - - - groce - - - - -        | 156,415 | 745     |
| Shoes, - - - - - pairs of - - - - -         | 5       | 6       |
| Cigars, - - - - - No. of - - - - -          | 508,750 | 5,845   |
| Total, - - - - -                            |         | 430,380 |

*Free Articles.*

| ARTICLES.                   | Value.   |
|-----------------------------|----------|
| Books, - - - - -            | \$285    |
| Brimstone, - - - - -        | 1,720    |
| Cork Wood, - - - - -        | 70       |
| Rags, - - - - -             | 335      |
| Hides, - - - - -            | 11,060   |
| Plaster of Paris, - - - - - | 165      |
| Specimens Botany, - - - - - | 810      |
| Dye Wood, - - - - -         | 2,275    |
| Mahogany, - - - - -         | 1,495    |
| Old Copper, - - - - -       | 3,310    |
| Bullion, Gold, - - - - -    | 600      |
| " Silver, - - - - -         | 515      |
| Specie, Gold, - - - - -     | 1,265    |
| " Silver, - - - - -         | 14,550   |
| Total, - - - - -            | \$38,455 |

## RECAPITULATION.

|                                    |             |
|------------------------------------|-------------|
| Value of Free Articles,.....       | \$38,455    |
| Value of Ad valorem Articles,..... | 771,970     |
| Value of Specific Articles,.....   | 430,380     |
| Value of Imports,.....             | \$1,240,805 |

*Comparative Table of Imports from the 1st Quarter of 1827 to the 1st Quarter of 1829.*

|                        | 1827.       | 1828.       | 1829.       |
|------------------------|-------------|-------------|-------------|
| 1st quarter, - - - - - | \$2,361,604 | \$2,393,906 | \$1,240,805 |
| 2d quarter, - - - - -  | 3,190,898   | 4,713,165   | .....       |
| 3d quarter, - - - - -  | 3,401,205   | 2,569,676   | .....       |
| 4th quarter, - - - - - | 3,207,661   | 2,926,935   | .....       |
| Total, - - - - -       | 12,161,368  | 12,603,682  |             |



*Value of Imports from each Country for the First Quarter of 1829.*

| Countries.                   | American  | For'gn | Total.    |
|------------------------------|-----------|--------|-----------|
| Danish West Indies, - -      | \$61,340  | ....   | \$61,340  |
| Dutch East Indies, - -       | 58,225    | ....   | 58,225    |
| England, &c. - - -           | 759,140   | 24,805 | 783,945   |
| Gibraltar, - - - -           | 1,645     | ....   | 1,645     |
| British Am. Colonies, -      | 2,965     | ....   | 2,965     |
| French Ports on Atlantic, -  | 14,830    | ....   | 14,830    |
| do. Mediterran. -            | 21,610    | ....   | 21,610    |
| Hayti, - - - -               | 61,145    | 16,545 | 77,690    |
| Spanish Ports on Medi'n. -   | 12,760    | ....   | 12,760    |
| Cuba, - - - -                | 88,650    | ....   | 88,650    |
| Portugal, - - - -            | 7,000     | ....   | 7,000     |
| Colombian Ports on Atl. -    | 96,710    | ....   | 96,710    |
| Brazilian Ports on Atlant. - | 13,435    | ....   | 13,436    |
| Total, - - -                 | 1,199,455 | 41,350 | 1,240,805 |

*Account of Grain measured at Philadelphia, for the two first quarters of the year 1829, compared with the same period of last year, per returns of A. P. Fering, Esq. Head Measurer.*

|         | 1829.   |         |         | 1828.   |        |        |
|---------|---------|---------|---------|---------|--------|--------|
|         | 1st qr. | 2d qr.  | Total.  | 1st qr. | 2d qr. | Total. |
|         | bush.   | bush.   | bush.   | bush.   | bush.  | bush.  |
| Wheat,  | 4,179   | 34,406  | 38,585  | 8,263   | 14,151 | 22,414 |
| Corn,   | 17,946  | 186,872 | 204,818 | 22,881  | 76,320 | 99,201 |
| Rye,    | 1,331   | 8,719   | 10,050  | 1,280   | 1,200  | 2,480  |
| Oats,   | 6,545   | 25,255  | 31,800  | 7,090   | 14,235 | 21,325 |
| Barley, | ....    | 1,213   | 1,213   | 3,593   | 3,746  | 7,339  |

[Philadelphia Price Current.

### CANAL BETWEEN THE SUSQUEHANNA AND LEHIGH.

We call the attention of our readers and all who are interested, to the following.

'In the year 1806 I made a survey on the head waters of Nescopeck, and found a valley extending to the Lehigh river, through which I then conceived a canal might be made. In 1821, I mentioned this route to Josiah White, Agent of the Lehigh Coal and Navigation Company, and on Thursday, the 25th of November, 1824, through the aid and assistance of several Gentlemen of Berwick and Mauch Chunk, we commenced a course of levels at the surface of the Susquehanna river, about 80 perches above the Nescopeck Falls, and continued levelling up the Nescopeck creek to a branch called Oley creek, thence to the head of Oley creek; thence down Green Mountain run to Lehigh river, where we finished on the 4th of December; from that survey the following table has been constructed.

| LEVELS FROM SUSQUEHANNA TO LEHIGH.   |     |     |     |     |       |          |
|--------------------------------------|-----|-----|-----|-----|-------|----------|
| Distance.                            | Ms. | Ps. | Ms. | Ps. | Rise. | Feet.    |
| From River to mouth of Black Creek.  | 7   | 106 |     |     | Ris.  | 12 4     |
| Thence to Turnpike Bridge            | 7   | 275 | 15  | 59  | do    | 226 1/2  |
| Thence to mouth of Little Nescopeck. | 3   | 170 | 15  | 220 | do    | 7 1/2    |
| Thence to State Road at Mills.       | 3   | 100 | 30  | 150 | do    | 158 5/16 |
| Thence to mouth of Oley Creek.       | 4   | 80  | 24  | 230 | do    | 33 5/8   |
| Thence to Summit Level.              | 6   | 40  | 20  | 270 | do    | 399 9/8  |
| Thence to Lehigh River.              | 4   | 230 | 34  | 170 | Fall  | 361 5/8  |

Summit level 1369 feet above tide water.

Lehigh River at the mouth of Green Mountain Run is 860 feet above the mouth of Lehigh, and 1008 feet above tide water. The Susquehanna at the Nescopeck Bridge is therefore 275 feet above the mouth of the Lehigh and 421 feet above the tide water.

By the foregoing Survey a canal from Susquehanna to Lehigh up Nescopeck creek is perfectly practicable.—The small streams at the head of Oley creek and Green Mountain Run would afford water enough on all common occasions on the summit level. But I have ascertained that Terrapin Pond creek, can, without any dam,

be turned into the summit level by a feeder 300 perches long, of which 180 only need be dug sufficiently deep to guide the water, and the remaining 120 will only be 35 feet deep in the deepest place. This creek where it can be taken out is on an average: eighteen feet wide, one foot deep and very rapid, and lies 166 feet above the summit level. It can be dammed to over flow large swamps as reservoirs.

Dec. 6, 1824.

ISAAC A. CHAPMAN."

Extract of a letter from the late Isaac A. Chapman, to Josiah White, dated

Wilkesbarre, March 29th, 1826.

Respected Friend—Yours of the 23d inst. was received on Monday evening; accept my thanks for the information contained in it. I have been uniformly of opinion that the Lehigh, when improved to our nearest point, would afford a more desirable route from this place to Philadelphia than any other, until the Chesapeake and Delaware Canal shall not only be completed, but extended around the head of the bay to Port Deposit, or rendered passable by sloops so that the transshipment at Port Deposit, may be the only one, and in addition, that the Susquehanna shall be so improved as to be passable at all times during the summer—and the route might perhaps be the best, even after all the improvements, as the route by Nescopeck and Lehigh, would render a transshipment entirely unnecessary and enable a boat, loaded at Wilkesbarre or Berwick, to unload at the wharves in Philadelphia, and certainly the advantages of continued navigation which will permit the same boat to pass through the whole route, is a system which practice must show to be preferable to any other. That the Nescopeck summit is the lowest of any to the Delaware waters above the blue mountain, is a fact which time and experiment will sooner or later discover to the public, and should the Nescopeck canal be completed, and the tolls on the Lehigh be placed at a just and proper rate, it will eventually be our channel to the Philadelphia market.

I know of but two circumstances which may present difficulties in bringing the Lehigh in the form of a navigable feeder from the Great Falls to the Oley Creek and Green Mountain summit. One is the valley of Bear creek, and whether this is sufficiently depressed to be an insuperable objection, I know not, it can only be ascertained by actually leveling the route. The other circumstance is the depressed form of the country between Wright's Creek and the heads of Nescopeck. My convictions in favour of the Lehigh, have induced me to make a partial examination of that ground since the last summer, and it has furnished me with much information concerning it. Nescopeck has its source in a pond or lake near the head waters of Wright's Creek. Both creeks flow southerly towards the valley, which lies between Nescopeck Mountain and Yager Mountain, and which is a continuation of Nescopeck Valley, extending to the Lehigh. Just before reaching the lowest part of the valley, Nescopeck turns round to the west, and Wright's creek turning a little to the S. E. soon enters the Lehigh. At the point where they turn from each other, they are about three-fourths of a mile apart, and each creek was large enough last December to turn a saw mill. A short distance below the point just mentioned, is the lowest ground between Nescopeck and Wright's creek which would form a summit level of this route, and I am of opinion that it is much lower than the Oley creek and Green mountain summit. This depression would form the difficulty in attempting to introduce Lehigh into the Oley creek summit. I should not be surprised to find it 80 or 100 feet lower than that summit, and into it Wright's creek and Nescopeck can better be introduced with the greatest facility; Pine Run can probably be also brought into it, and if Bear creek valley should not be an objection, Lehigh itself can easily be brought into it. I am also of opinion that all the waters

which can be brought into Oley creek summit, can thence be brought to this. If these suggestions should prove to be correct, water enough can be brought into the Nescopeck summit to pass ships of the line. This will probably form the summit of the Susquehanna and Lehigh Canal, and it certainly deserved to be examined previously to the opening of books, because it would greatly facilitate the taking of stock. The trade from this place can reach this summit by water in fifty miles, and by land in ten miles. Hitherto these examinations have been at my own expense, and I wrote the Berwick Agent, who superintends the Canal Bill at Harrisburg, to have Wright's Creek and its waters, included in the bill; whether that has been effected or not I cannot say.

Yours, truly,

ISAAC A. CHAPMAN.

[The examinations last autumn, of Moncure Robinson, Esq. Engineer, under the authority of the State, completely confirms the anticipations of I. A. Chapman, deceased, as to the best route for a canal, and most favourable summit between Susquehanna and Lehigh. The summit referred to by Mr. C. at the head of Wright's Creek, proves to be but 209 feet above Lehigh, and 847,697-1000 feet above Susquehanna at Berwick, being about 100 feet lower than Oley Creek summit.]—*Mauch Chunk Courier*.

TO THE BOARD OF MANAGERS OF THE  
PENNSYLVANIA SOCIETY FOR DISCOURAGING THE USE OF ARDENT SPIRITS.

The Agent appointed by your Board in the month of February last, to make the tour of Pennsylvania, with a view to give extension to the principles, and promote the philanthropic objects of the Society, having accomplished the ends of his agency, as far as was practicable, within the limited term of three months, respectfully presents the following draft of his route, together with an enumeration of the Societies organized in the several Counties he has visited. He also submits to the consideration of the Board, such suggestions, as have, from time to time, presented themselves to his mind, in connexion with the object of his mission; and such notices of the results of his labours as have been furnished since his arrival in Philadelphia.

Agreeably to my instruction, I left Philadelphia on the 16th of February last, and on the same day arrived at Lancaster. The citizens of this place had been previously notified of my intended visit, and that an address would be delivered in the Presbyterian meeting house, on the evening of the 17th. Preparatory to this, and with a view to ascertain the practicability of forming an Auxiliary Society, I lost no time in urging the claims of the cause upon the ministers of the Gospel, and on such other gentlemen as were accessible by me. The encouragement given by them was far from flattering; for though friendly to the objects of my mission, they were themselves unwilling to associate, as a body, in their behalf. I was obliged therefore, to rest satisfied with calling the public attention to the subject, and in offering up my prayers to Him, who alone can give increase to my labours, that some of the numerous Assembly addressed on that occasion, may hereafter become the zealous and fearless advocates of that easy morality, which consists simply in abstaining from evil. On the 18th I left Lancaster, and on the same day reached Harrisburg. Here I met with no chilling discouragement, as in the place last visited. The proposition for the formation of an Auxiliary Society received the prompt and cordial approval of those to whom it was made, and the necessary preliminaries to effect this object were arranged. Among these, notice was given that an address would be delivered in the Court house on the 24th inst. and until that date my time was occupied in calling the attention of individual members of the Legislature, and others to the evils of intemperance, and the necessity of its suppression, to the prosperity of our high-

ly favoured commonwealth. I am not without hope that some good was done in this way; as well as by the address, which was delivered agreeably to appointment, and to a large audience, who appeared to be much interested in the subject. On the succeeding evening a Society was formed, and its Constitution signed by 18 gentlemen. Having made inquiries of several of the friends of Temperance, as to the course to be pursued with the prospect of doing most good, and obtaining such information as I thought might be of advantage, I left Harrisburg for Lewistown on the 27th Feb. On my arrival here (Lewistown) I was pleased to find that tho' the subject had not been long familiar; it met with the decided approbation of most of the friends of religion and morality—a state of things which should be, but which alas! is not universal, if we admit all those to be such, who claim to be so considered. After an address on the evening of March 2d, a Society of 21 members was formed, and augmented by the addition of several others at an adjourned meeting on the following evening. The feeling excited upon the subject appeared to be great, and the character of those who compose the Society, warrants the belief that much good will be accomplished in this place, and its vicinity. The refusal of all its respectable inn-keepers to open their bar-rooms or sell liquor on the Sabbath to any other than travellers, over whom their control is limited, and the determination of at least one within my knowledge, not to sell on any occasion to a confirmed drunkard, or to one who had already taken more than his head would bear, are facts which augur well for the growth of this town, as well in virtue and happiness, as in wealth and population. From Lewistown I took the route to Bellefonte, where the ordinary measures were taken to enlist the inhabitants in the cause. They were however followed by no further results than the agreement of a few gentlemen to act individually on the principle recommended by the Society, (entire abstinence,) and their determination to keep the subject alive, and aim at the early formation of an auxiliary. The next scene of my labours was Huntingdon, where after the delivery of an address on the evening of March 12th a Society of 22 members was formed. The spirit manifested in this place promises a speedy, and wide diffusion of the principles by which your Board have been stimulated; and this is the more cheering, as a very opposite spirit, not very long since, shed its baleful influence on this, as well as on other towns on the banks of the Juniata. From Huntingdon I proceeded to Ebensburg, where I arrived on the 14th of March, and on the 17th addressed an Assembly out of which a Society of 39 members was at once organized. I have since learned that this number has been augmented, and that the store-keepers of the place have signed an agreement to abstain from the common and pernicious practice of treating their customers. This information I have derived from a letter to a friend from a gentleman residing in that place; from which I am permitted to make the following extract.—Speaking of the Society, he says,—

"In this place the prospects appear to me to be very encouraging, more so than I ever expected to live to see. Six or seven have joined since Mr. Rhces left us. Soon after the formation of the Society all our store-keepers agreed that they would not treat their customers with whiskey, nor suffer any of it to be drank in their stores. This has been of great good; for I do not know but the practice which had prevailed here, and in other places, of storekeepers keeping whiskey on their counters, did more harm than all the liquor drank in the taverns. I know of many who are not members, who have used very little if any in their families, or any where else since our Society was formed, who used it daily and freely before. The practice of presenting the bottle to visitors is far, I believe, from being as common as before. Five of what we call, chopping and rolling frolics, have come to my knowledge, which have been carried on without a drop of the poison. I was present

at one of these, where there were ten hands; it was a snowy, disagreeable day, but the work went on with as much harmony and success as I ever saw it, if not more. I believe I may safely say that there has not one fourth as much whiskey been drank within what is called the Welsh settlement, as would have been drank in the same time if it had not been for the formation of the Society; I am not sure that I would have been wrong, if I had said, not one tenth, and some of the members were gone to the brink of destruction, who now appear zealous, and give great reason to hope that they will be prevented."

From Cambria County I proceeded to Indiana, and on the 20th and 21st successively, delivered addresses in the County town of the same name. The attention of the inhabitants was general and a Society was immediately organized, consisting of 22 individuals, who have signed the Constitution. Since my departure from that place I have received the gratifying intelligence, that others have been added, and I have still more recently learned that my visit and labours have through the blessing of God, been made the instrument of good to more than one prodigal of the human family in that vicinity. One, who has joined the Society since I left there, writes thus to a friend in this city.

"No person unless he was a resident of this place, or well acquainted in it, can have any idea of the great change effected by the Mission of the Agent &c. A number of the Society have become members of the church, and respectable citizens, who a short time ago were not only going to hell step by step, but who were sliding downward, as upon a rail way." May the influence of the Holy Spirit, thus continue to arrest the intemperate in their mad career, and may it impart energy and stability to the resolutions of those who have already halted in their perilous course.

The town of Butler was next visited, and though a Society of 42 members had been previously organized on the principle of entire abstinence, I made an effort in an address to the inhabitants to increase its numbers, and kindle new zeal in the cause, in those who were already its avowed advocates. Nothing however, of special interest transpired, and I proceeded to Mercer, where I arrived on the 26th of March. Here also I found a Society formed of 31 members, and as they appeared alive to the importance of the cause, and active in endeavouring to promote it, I remained but one day, and pursued my journey to Meadville. In this place I ascertained that a Society had been for some time organized with a view to discourage the excessive use of ardent spirits. My objects here therefore, were to increase the numbers of this Association, and if possible convince its members of the necessity of adopting the principle of entire abstinence, if they would aim at the accomplishment of any permanent good. The first of these objects was in some measure answered, by the delivery of an address on the 30th of March, when 24 gentlemen were added to the Society, making the whole number 57. A resolution was also adopted to call a general meeting during the session of the Court in the second week of April, with a view to a re-organization on the principle of the Pennsylvania Society. On the 1st of April I left Meadville for Erie, where after the delivery of an address, the meeting resolved to form a Society, and appointed a Committee to draft a constitution, to be presented at an adjourned meeting. On my return, after a short absence on private business in the State of Ohio, I found that the Constitution had been prepared and adopted, but the number of members was not ascertained, as an adjournment had taken place to the first Monday in May.

My course was now homeward, and the first place visited, Pittsburgh. Here, though no decisive stand had been previously made by the advocates of the cause, an address delivered in the 1st Presbyterian meeting house, was immediately followed by the organization of the Allegheny County Society of about one hundred mem-

bers. There is a promise of incalculable good, in the promptitude with which the citizens of this populous, flourishing and busy place, have thus come up to our help against the arch enemy of our race. From Pittsburgh I went to Washington, where I had the satisfaction to learn that the subject had been under serious consideration, and that the young mechanics of the place had organized themselves into a Society to the number of about thirty, all of whom were pledged rigidly to abstain from the use of Ardent Spirits. Were this example followed by the young mechanics of our city, who are just commencing business for themselves, and many of whom have families rising about them to share their profits and their losses, their prosperity or adversity, how speedily would the sources of their happiness and wealth be multiplied, and how much more certainly would they flow from their labours. Notwithstanding the existence of such a Society in Washington, an address was deemed proper, and it was followed by the formation of another Society, consisting of 33 members, none of whom belonged to the association of young mechanics. There are therefore in this town upwards of sixty persons who have relinquished the use of ardent spirits. In Uniontown, the next place visited, the Fayette county Society was organized with 18 members, and it was understood that several township societies in the vicinity were already in existence. From Uniontown I proceeded to Somerset, and succeeded in forming a Society of 28 members, notwithstanding the interruption of my address, and the open opposition made to the principle I advocated, by one of the assembly.—His attempt to arrest, I am convinced, served rather to give an impulse to the feeling displayed in behalf of the cause, among the respectable members of that community. This, I believe, will always be the result of hostility to the truths of sound morality, and undefiled religion. I left Somerset on the 20th of May for Bedford. This field I was led to believe, was not yet ready for the seeds of Temperance; yet, nothing despairing, I delivered an address, and was gratified to find at its conclusion, ten gentlemen willing to subscribe the constitution at once. Others, I was informed the succeeding day were prepared to add their names, and the prospect is fair, for a considerable increase. In Chambersburg the next, and the last place in my route homeward, in which the subject was introduced by a public address, I met with no encouragement. On the contrary the prevalent belief that the inhabitants of that vicinity are sufficiently temperate, without the restraint of a bond of Association, rendered my efforts to organize a Society abortive. From Chambersburg I pursued my way to Philadelphia without delay, as the term of my agency had expired, and as I had received no communication or additional instructions from your Board.

Such is a rapid sketch of the route pursued, and the Societies formed during my agency, of which it may not be improper to annex the following abstract:

Dauphin County Society, formed at Harrisburg, February 25th, 1829, 18 members.

Mifflin County Society, formed at Lewistown, March 2d, 21 members.

Huntingdon County Society, formed at Huntingdon, March 12th, 22 members.

Cambria County Society, formed at Ebensburg, March 17th, 39 members.

Indiana County Society, formed at Indiana, March 21st, 22 members.

Butler Society, (organized prior to my visit) 42 members.

Mercer Society, organized do. 31 members.

Meadville Society, organized do. 57 members.

Erie County Society, formed at Erie, April 4th, — members.

Allegheny County Society, formed at Pittsburgh, May 5th, 100 members.

Washington County Society, formed at Washington, May 11th, 33 members.

Fayette County Society, formed at Uniontown, May 14th, 18 members.

Somerset County Society, formed at Somerset, May 18th, 28 members.

Bedford County Society, formed at Bedford, May 23d, 10 members.

\* From the foregoing abstract it appears that in the principal towns, lying along two of the most frequented routes in our state, covering nearly one thousand miles, and touching one third of all the counties in the commonwealth, no less than five hundred persons have publicly renounced the use of Ardent Spirits, and associated themselves to discourage their consumption. When we consider too, in connection with this fact, that in one of the most populous places visited, a city which claims an equality with any other in the Union, in refinement, intelligence, and all that wealth can afford; not a man could be found bold enough to hazard a conflict, with the prevailing, demoralizing, and debasing sin, against which we have been contending; and that in another highly favored place, scarcely any appeared sufficiently sensible of the moral malady which was preying upon the vitals of the community, to seek a remedy by which its progress might be stayed: when we consider these circumstances, we scarcely dare to ask our friends to come and hear what has been done through the blessing of heaven, in behalf of the cause which lies so near to their hearts. The picture is indeed a dark one, yet thanks be to God, there is light blended with its shade. There is hope as well as regret; and to some of the grounds on which this is built, I would respectfully call the attention of your Board.—That is not the least substantial, which is furnished by the respectability and influence of those who have united with us. In every instance of the formation of a society the individuals who came forward most promptly, were of undisputed superiority of character and standing to those who were either indifferent, or hostile to our principles. They are for the most part men, who can do more by precept and example than twice their number of adherents in less prominent stations, and with less power to direct the morals of the community of which they are members. This circumstance should lessen our regret at the small number of our recruits, for in securing the services of those who are, among their fellow-citizens, distinguished leaders, we cannot be disappointed in finding the ranks of morality and religion speedily filled with those who shall be enlisted through their influence.

But there is another circumstance of an equally encouraging character, if properly viewed. The addresses were delivered and the societies formed in the court towns of the counties visited. These it is well known constitute a centre from which much evil has diverged upon the surrounding country. During the terms of the courts especially, intemperance has been here engendered, and like a contagious epidemic has extended its pestilential influence to the farm houses, harvest fields, and villages of the adjacent district. This fact cannot be disputed and it has every where been a subject of the most serious lamentation to the Christian residents of these towns. Young men are attracted thither at such seasons; the fields of their healthful and profitable labour are deserted, and though they become, for but a single week, the occupants of the bar-room, it is enough. They carry home within them a deadly poison; they feel a thirst which the pure water of their springs will not allay, and, unlike rational beings, they seek again the very source from which the plague that infects them has emanated. How important is it then that the process of moral disinfection should commence here. And here it has been commenced, under auspices so favorable as to justify the hope, that at no distant period the husbandman may seek justice at its appointed seats, without putting his respectability, his domestic happiness, nay his life in peril. Yes, more than this we are encouraged to hope, even from our small be-

ginnings, he will carry home with him, that which he will find of far more value to himself, his sons, and daughters, than legal counsel, or the report of a legal triumph. He will bear to them in his bosom such sentiments as will diffuse peace and happiness through the family circle, whatever adversity may betide them, and by precept and example he will convince them, that in journeying through life their safest, easiest and nearest road to happiness, honour and fortune, is that which has been laid out through their native state, by the Temperance Society of Pennsylvania.

With these encouraging considerations I would close my report, did I not feel it my duty to make a brief appeal to your Board on the subject of your future operations. I do this too, with the greatest freedom, as I have already declined the responsibility of continuing as your agent.

It has been made evident by the first experiment, that there are no serious obstacles in the way of ultimate success, however gradually and slowly that may be attained; and it is equally obvious that the efforts already made must be promptly and vigorously seconded. Of this your Board was aware, when it determined on the employment of an agent throughout the year. It may, however, be a question how such agent can best accomplish the objects of his appointment; and on this head I would very respectfully suggest as a most important addition to the duties I have so imperfectly performed, that he should be allowed time in his tour, not only for the delivery of public addresses in the principal towns but also for visiting the smaller villages on, and near his route, and sowing there the seeds of rigid temperance. Much good may also be effected, if mild, yet firm and undaunted appeals could be made to the numerous labourers along the various lines of internal improvement in the state, whether roads, rivers, or canals. Further, it has appeared to me of importance, that no class of the community should be exempted from these appeals. The young, as well as the old, are interested in the result of your labours, and may assist in them.—Lastly, I would suggest, that as soon as those parts of the state, which have not yet been visited, have received the attention of your Board, your agent should retrace the path already travelled, and cheer and animate, and multiply the numbers of those, who have so readily rallied round your standard, at the feeble call of

Yours truly and respectfully,

MORGAN J. RHEES,

Philadelphia, June 20, 1829.

### PRESQUE ISLE.

The town of Erie, Pa. is situated upon a bluff affording a prospect of Presque Isle bay, the peninsula which forms it, and the lake beyond. The basin is a fine one, and the national government, in conjunction with the State of Pennsylvania, have been at much expense, for several years past, in constructing piers to improve its entrance, and removed a sand bar which has heretofore obstructed the passage of large vessels. It is now much improved, and steam-boats enter without difficulty. The peninsula was, within remembrance, a sand bank; but is now covered with a growth of young timber. Erie was of some importance during the last war, as a naval station; since which the village appears to have been stationary: the improvements of the harbour, will however, contribute much to its increase.

A little to the right of the town, on a high bank overlooking the bay, are the remains of the old French fort, now overgrown with weeds and thistles, but still distinct in its outlines. It was one of that great chain of military posts extending from the St. Lawrence to New-Orleans, by which the French endeavoured to cramp the rising greatness of the British empire in the west; and was once occupied by a considerable garrison. Half a mile beyond (passing a ravine,) on another eminence, commanding the entrance of the harbour, stands the block house erected during the late war, for the

protection of the navy-yard on the opposite side of the bay.—At this place, Perry's fleet was built with incredible despatch. Scarcely 70 days elapsed from the time they commenced cutting timber in the woods, until the squadron was ready for action. The young and intrepid victor of Erie is still gratefully remembered.

At a public dinner given to him and his officers, before they sailed on their glorious *errand*, he gave the noble sentiment, that "he would come back a conqueror, or in his shroud." This victory retrieved the disasters of Detroit, finished the war in this quarter, and restored tranquility to the bleeding frontier. The prize vessels now lie sunk in the harbor near the navy yard. The large vessel is partly above water in a decayed state; and near her, the brig Niagara, in whose cabin the gallant Commodore wrote the famous despatch, "we have met the enemy and they are ours." They are pointed out to all strangers, and many anecdotes related to revive in their recollections the merits of those brave men who came from the Atlantic shores, to make these lonely waters the theatre of glorious achievement, and wrest the trident from the mistress of the sea.

The old garrison of General Wayne in which he died on his return from the Indian wars, still remains, though in a ruinous state. He was buried at his own request, under the flag staff of the fort. A rude paling and a rough stone, with the initials "A. W." long marked the resting place of one of our country's most heroic defenders. His remains have since been removed by his friends. Among those bold spirits whose exertions and patriotism achieved the great work of American Independence he held a conspicuous rank. After the negligence of St. Clair had suffered his army to be surprised and totally defeated, he was directed by President Washington to assume the command of the North Western army; and the dread which the savages still entertain for his memory, affords living proof how faithfully his duty was performed. His prudence and decision soon restored order to his discomfited forces. By a rapid and cautious advance, he foiled the enemy's attempts at surprise; all their arts were employed, and finally met them near the Miami rapids. The victory which crowned his toils obtained him the title of the "Red man's scourge;" by which he is designated by the Indians to this day.

An anecdote of him, upon this occasion, I have never seen in print. The British at this time, held a military post on the Miami, near Wayne's battle ground—from then the Indians had received countenance and supplies, and expected a shelter in case of defeat. General Wayne received a message from the commandant, warning him to keep at a proper distance from the fort, as he should protect the Indians, if they retreated under his guns. Wayne immediately wrote a note to this effect:—"If you fire one gun, or receive one Indian into the Fort, my troops shall storm and put the garrison to the sword. Remember Stony Point."

It had the desired effect: the enemy fled for shelter, but the gates were closed. Part of them escaped, with the loss of their arms, by swimming Swan Creek, and the remainder were drowned or slain by the conquerors.—*Boston Traveller*.

#### PINE LANDS OF NEW JERSEY.

Thirty years ago the immense forests which cover so large a portion of this state, were not worth more than six to ten cents an acre. There was no inducement to make them productive, because there were no visible means. No demand existed for the timber, for oak was preferred for household purposes; neither was it an object to clear the land for agricultural purposes, because, when cleared, it was not worth tilling, and that which was, had been farmed long before. By degrees, however, Furnaces were established among the woods; yet, though they made great havoc, no reduction was apparent in the huge wilderness of pines. Next came the Steamboats. For a few years they tra-

versed our waters, propelled by timber from New Jersey, yet without sensibly diminishing the density of the forests. In a few years more, their number was doubled—trebled—quadrupled. Their huge maws, though supplied with thousands of shallop-loads of pine, were yet unsatisfied. The demand for fuel, became immense, and the almost worthless pine lands of New Jersey rose rapidly in value, until they constituted an essential item in the profits of the farmer. Four dollars was not thought too great a price for an acre, and owners even showed a disposition to hold on, rather than sell, wisely foreseeing that, instead of a decrease in the demand, an immeasurable increase must ensue. In this posture of affairs, the inexhaustible depositories of Coal upon the Lehigh were laid open to the astonishment and gratification of the whole country. The bowels of the earth were penetrated for the hidden treasure—more valuable than all the mines of Carolina and Virginia, because they require labor to transmute them into gold—and coal became the universal favorite. But before it could be used, charcoal must be used to ignite it—and here again, a new inroad must be made into the Pine Lands of New Jersey for a supply. This was an entirely new market opened for her formerly useless timber. Nay, there are not less than one thousand furnaces used in this city, for culinary purposes, which, during the summer months, consume nothing else than charcoal. In fact, the mighty march of steam upon her neighboring waters have nearly revolutionized New Jersey. Her pine lands, in place of bringing ten cents an acre, are now worth six dollars—an advance, in thirty years, of nearly six thousand per cent! Yet we have no doubt, but that in a few years hence, there will be no such thing as a pine forest within her borders. The steam engine must be satisfied. It will eat up every tree upon her soil; and as the oak springs up where the pine has flourished, and the pine where the oak has grown, a century at least must pass away before a second forest of pine can be worthy of the axe. What then, shall be done, when all this wilderness shall be burnt away, and the ground left bare and barren, like the prairies of the Mississippi? In place of pine, the bowels of the earth must be dugged to stop the outcry of the steam engine, since that which grows upon its surface has been unable to satisfy its cravings. Coal must be substituted for wood. It has been done already, and will be done still more extensively, it is used to drive our steam ferry boats and it is shipped to the West India Islands, where it is advantageously employed in boiling sugar. How vast the changes which the discoveries of steam and anthracite have made! How mighty the effects which they are yet destined to produce. They have diminished distances to mere pleasure-trips—they swallow up whole forests, leaving nothing in their place, and make the wilderness itself to blossom like the rose.—*Saturday Bulletin*.

#### ST. PAUL'S CATHEDRAL—PITTSBURGH.

The corner stone of this edifice, which is to be erected on Grant's Hill; was laid on the 24th ult. by the Rev. Charles B. Maguire, the respected pastor of St. Patrick's Church, in this city, under the superintendence of John Behan, Esq. Civil Engineer and Architect. We have inspected the designs of this building, which were furnished by Mr. Behan, and feel warranted in saying, that, when completed it will be an ornament to our city. It is to be in the purest style of perpendicular florid Gothic architecture. The body of the building will be two stories high, 157 feet long, 65 feet wide, and 52 feet high to the top of the embattled parapet—having twenty-six buttresses surrounding it, sixty feet high each, mounted with pediment pinnacles, having crocketed spires. The front, or belfry tower is to be three stories high, twenty-four feet square, and 106 feet to the top of the embattled parapet, supported by four buttresses, with flying terminals, each surmounted with crocketed and spired pinnacles. There is to be a pres-

bytery at the rear, 33 feet long, which will be ornamented with an empannelled parapet, buttresses, spires, &c. The spire over the belfry tower is to rise 60 feet above the parapet. It will be ornamented with a double cross, three decorated tiara zones, and the whole surface laid off in ranges of vertical pannels, with trefoil terminations to each; the ribs of which will be covered with burnished, and the pannels with flat gold. The interior of the Cathedral will be arranged with one grand central aisle, and two side aisles, each having pannelled groined ceilings, with pendant drops, and surrounded by a gallery 276 feet in length. There will be one grand and two lesser altars. The other arrangements comprise two choir rooms, a sacristy, a confessional, a presbytery, two vestibules and four stair cases.

*Pittsburgh Mercury.*

A beautiful *paper* carpet, manufactured at the Paper Mill and Wall Paper Establishment of Messrs. Holdship & Son, of the city of Pittsburgh, Pennsylvania, is described in the following article from the Pittsburgh Statesman:—

#### BRUSSELS CARPETS.

We have seen a beautiful Carpet, manufactured from *Rags*, at Holdship's Paper Mill. It is in imitation of the Brussels carpet, and so perfect is the imitation, that, at a little distance, the best judges of the article would be deceived. It is entirely of *paper*, and was manufactured in the ordinary manner. The colors, which are of very great variety, and beauty, are then stamped upon the paper; and the process of staining and uniting it, is the same as that of making wall paper. It is then so highly varnished as to resist the effects of water, and is thus rendered more beautiful and durable, than the imported article. The carpet was made for his private use, and we believe, it is not contemplated by Mr. H. to make them an article of general trade. As a proof of what can be done by the "Home policy," and as a specimen of native skill and ingenuity, and considering it a successful effort of "domestic industry," it is worthy of notice and commendation.

#### WELLSBOROUGH, July 6.

*Frost.*—On Thursday night of this week we were visited in this neighborhood by a severe frost, which, we are pained to say, has done much damage. Beans, cucumbers, and vines of every description, are, for the most part, in the valleys, entirely cut off. Some fields of corn too, and even potatoes, are much injured—and some we think wholly killed. We have not ascertained the extent to which this calamity has reached, but fear it has not been very limited. We cannot hear that any damage has been sustained upon the high grounds—and upon the rivers too, there were few or no traces of frost, owing to the fogs.

*Extreme Drought.*—The dry weather which has existed here for a month or more, and of which we have spoken in our late numbers, still continues, and which together with the late frosts with which we have been visited, presents a most disheartening and desolate prospect to our farmers, as well as every other class of citizens.

Many of our fields and pastures have scarcely a remaining spire of green grass left upon them. A considerable portion of the meadows will not afford hay enough to defray the expenses of mowing.—We judge there cannot be in this neighborhood, taking it on an average, over one-third of a crop.

#### SOMERSET, June 30.

The weather for a few days past has been uncommonly cool for this season of the year—so much so, that it created almost a general ague among our frost-proof citizens, which, however, was soon dispelled by warm stoves and pleasant fires on our hearths. Ye at a distance, don't stare at the fact, that on yesterday and this morning many of our people had fire in their stoves!—

But what of this! We would not give the pure air and good water of the Glades for all the best heat, vapour, fog and fever and ague producing climes of five of the largest states in the Union; but would say with the poet, Glades, "with all thy faults I love thee still."

*Coal on the Broad Mountain.*—We understand that a vein of Coal has been opened on the Broad Mountain, on a tract of land situated at the head of the West Branch rail road, which is supposed to be twenty-nine feet thick. We have seen a specimen of the coal, which we can pronounce equal in quality to any at present sent to market from this region. Daily developments are taking place on the above mountain, and should many more such veins be discovered, (there being evidently traces of some even larger,) we should not be surprised if it would be found necessary to uncover that part of the mountain and quarry the coal.—We also understand that a vein of coal was lately opened on the route of the Schuylkill Valley rail road, seventeen and a half feet in thickness, which is pronounced to be excellent.—*Miners' Journal.*

#### EASTON, Pa. June 23.

In passing down a street a few days since, we were struck with the appearance of some school slates we saw in Mr. Wilson's store, and on inquiry found they were manufactured in our own county. The quality of the slate we think equal if not superior to any we have seen, and the framing is far better than any that have come under our notice. They were from Col. Porter's Quarry and Factory, near the Delaware Water Gap, where he now manufactures from 60 to 70 dozen per week.

#### POTTSVILLE, Schuylkill Co. July 4.

A new era of things is rapidly approaching at this place, which is of vital importance to the citizens, generally—we mean the extension of rail roads throughout the coal district. Three miles of the Schuylkill Valley Rail Road will be completed in three or four weeks.—Two miles of the Mill Creek Rail Road will be completed shortly. Preparations are making for laying the Schuylkill Haven Rail Road, and we understand that the stock of the Mount Carbon Rail Road has been taken, which, it is presumed, will be commenced immediately.—*Miners' Journal.*

On Wednesday last, the Philadelphia stage arrived at this place at a quarter before 4 o'clock—performing a trip of ninety miles in about fourteen hours. We believe the passage on this route has never before been performed in the same space of time.—*Id.*

On Monday last, a drove of cattle passed through this place on their way to Luzerne county, in this state; we understand that the cattle were brought from Ohio, destined for the Philadelphia market, and were there purchased by a gentleman for the purpose of driving them to the above mentioned place, where he expected to realize something handsome on them.—*Id.*

Some difficulty is experienced in the neighbourhood of Pottsville and Mount Carbon, in procuring a sufficiency of labourers. The Editor of the *Miners' Journal* adds by request the following list of prices,

|                       |   |                 |
|-----------------------|---|-----------------|
| Experienced Miners    | - | \$1 25 per day. |
| Carpenters            | - | 1 25 do.        |
| Masons                | - | 1 37½ do.       |
| Common labourers, &c. | - | 90 do.          |

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## BIOGRAPHICAL MEMOIR OF MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 55.)

Philadelphia, 28th July, 1779.

My Dear General,—I arrived here Sunday morning, at half past 10 o'clock. From various impediments, I could not get from head quarters till near four, Thursday afternoon. I rode that evening to Mr. Wickham's, 21 miles. Made 46 miles the next day, and slept at Hacketstown. Got up in the morning at 2 o'clock, and made the Billet by 9 o'clock in the evening, being 63 miles that day, and within 16 miles of Philadelphia, at which place I breakfasted at the President's of Congress. I was obliged to press a horse, for one of the dragoons, on the road, which I suppose Nero will complain of at head quarters.

I came into the city with colors flying, trumpets sounding, and heart elated—drew crowds to the doors and windows, and made not a little parade, I assure you. These were Baron Steuben's instructions, and I pursued them literally, although I could not help thinking it had a little the appearance of a poppet show.

I made a point of waiting on the French Ambassador and President Reed in your name, who as well as others, speak of your achievement, with wonder and praise.

I have sent you the newspapers of the day—adieu, Sir, may you long enjoy your present laurels, and quickly have an opportunity of acquiring new ones.

I have the honor to be, with great esteem,

Your very humble servant,  
HENRY W. ARCHER.

A very distinguished public writer of that day, says, when speaking of the capture of Stony Point, "great is the triumph of the Americans upon the success of this enterprize, and justly, for it would have done honor to the most veteran troops, and notwithstanding the provocations given by the plunderings and burnings at New-Haven, East Haven, Fairfield, and Green-farms, of which they had heard, such was the humanity of the continental soldiers, that they scorned to take the lives of the foe, calling for mercy—so that there were but few of the enemy killed on the occasion."

Subjoined are a few of the congratulatory letters which General Wayne received on this occasion, with a few of his replies:

From General St. Clair:—

New Windsor, July 17th, 1779.

Dear General.—It was with true pleasure that I received the news of your success at Stony Point, on which I beg leave to present you my cordial congratulations.

It is an event that makes a very great alteration in the situation of affairs, and must have important consequences, and the more glorious, from its having been effected with so little loss. It is, in short, the completest surprise I have ever heard of.

Please to present my compliments to the gentlemen of your family, and all our friends, and believe me with much esteem,

Dear General,  
Your very humble servant,  
ARTHUR ST. CLAIR.

General WAYNE.

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From Thomas Burke, Esq. Member of Congress.

Philadelphia, July 19th, 1779.

Dear Sir,—I congratulate you on the signal and brilliant success of your enterprize against Stony Point.

This gallant and important affair has filled us all with very high satisfaction; and mine, I assure you, is peculiarly improved, because an officer, of whom I had conceived a very high opinion, and for whom I have very great esteem and regard, has conducted it, and obtained such singular glory.

The happy effect of your good conduct has saved your humanity the pain it would have felt, had your enterprize cost you the lives of many of your brave soldiers and gallant officers, and even had you been under the necessity of slaughtering many of the enemy. To the humane, and such are all the brave and good, this is a very pleasing circumstance attending your success. Magnanimous generosity has triumphed over the enemy, as much as your courage and conduct.

I was much concerned when I heard you was wounded; but learning, on inquiry, that it was but slight, I considered it as not worth attention in so great an affair; and I find by your letter to General Washington, you did not think it of consequence enough to mention it.—Having mentioned your letter, I must declare I think it a just model of martial eloquence, equalled by none but Cæsar's *Veni, vidi, vici*.

I wish your example may be followed in this, as well as in the other parts of your military character. I wish you long life; I need not add glory for you will have it.

And am, dear Sir, very truly,

Your friend and servant,  
THOMAS BURKE.

General WAYNE.

Fishkill Landing, August 1st, 1779.

Dear Sir,—Your kind remembrance of me I most thankfully acknowledge.

If I have fought with some success, the pleasure I experience in the approbation of my country and friends is to me a rich reward.

You are pleased to compliment me very politely on my laconic note to his Excellency, General Washington, relative to the reduction of the enemy's post at Stony Point; but the blood which at the time was issuing from my wound compelled me to be concise. I, therefore, am not entitled to the merit which you give me, as you will see by an official letter to the General, written two days after on that occasion.

The American soldier is not quite so base and divested of tender feeling, and all humanity, as to strike a prostrate and unresisting foe; that is a business suited only to a cruel and degenerated Briton, who has refined upon every species of villany and cruelty.

Be pleased to present my best and kindest wishes to our mutual friends, and believe me,

Yours,

Most respectfully,

Hon. Thomas Burke,  
Member of Congress.

From Joseph Reed, Esq. President of Pennsylvania.

Philadelphia, July 20th, 1779.

Dear General,—Until you receive more substantial marks of honor and public regard, accept the kind and



sincere congratulations of one of your best friends, on your late success.

It is not the surprise of a post, or the capture of 600 men, that pleases me so much as the manner and address with which it has been executed. You have played their own game upon them, and eclipsed the glory of the British bayonet, of which we have heard so much.

God grant you health and long life to enjoy your laurels.

Yours,

Most sincerely,

General WAYNE.

JOSEPH REED.

New Windsor, July 26th, 1779.

Dear Sir,—Your very polite favour of the 20th, I had the pleasure of receiving last evening, and am much honoured by the manner in which you are pleased to express your approbation of the enterprize against Stony Point; the particulars of which you have undoubtedly seen before this time.

I think it my duty to inform your Excellency of the good conduct of the two young gentlemen, who led the van of each column, and who are entitled to some marks of distinction for an intrepidity which would have done honour to the oldest soldier. Mr. Gibbon, of the 6th, and Mr. Knox, of the 9th Pennsylvania Regiments. I have not put pen to paper on the occasion, except to his Excellency, General Washington. Indeed, my head has been too much disordered to attempt it, and this circumstance you will please to accept as an apology for the shortness of this.

Your Excellency's most obedient,

And very humble servant,

His Excellency,  
Governor REED.

ANTHONY WAYNE.

Philadelphia, 27th July, 1779.

Sir,—Your late glorious achievements have merited and now receive the approbation and thanks of your country. They are contained in the enclosed act of Congress, which I have the honor to transmit.

This brilliant action adds fresh lustre to our arms, and will teach the enemy to respect our power, if not imitate our humanity. You have nobly reaped laurels in the cause of your country, and in fields of danger and death. May these prove the earnest of more, and may victory ever bear your standard, and Providence be your shield.

I have the honor to be, Sir, with great respect and esteem, your most obedient and humble servant.

JOHN JAY,

President of Congress.

Brigadier

General WAYNE.

Letter from General Wayne to Mr. Jay:—

West Point, 10th August, 1779.

Sir,—Your very polite favour of the 28th ult. with the extract of an act of Congress, I have just now received. The honorable manner in which that respectable body have been pleased to express their approbation of my conduct, in the enterprize on Stony Point, must be very flattering to a young soldier; but while I experience every sensation arising from a consciousness of having used my best endeavors to carry the orders of my General into execution, I feel much hurt that I did not, in my letter to him of the 17th of July, mention, among other brave and worthy officers, the names of Lieutenant Colonel Sherman, Majors Hull, Murfree, and Posey, whose good conduct and intrepidity justly entitle them to that attention. Permit me, therefore, through your Excellency, to do them that justice now, which the state of my wound diverted me from in the first instance. And whilst I pay this tribute to real merit, I must not omit Major Noirmont de Luneville, a French gentleman, who (in the character of a volunteer) stepped among the first for glory. I will only beg leave to add, that every officer and soldier belonging to the light corps, discovered a zeal and intrepidity that did, and ever will, secure success. I am, with every sentiment of esteem, &c. ANTHONY WAYNE.

His Excellency, JOHN JAY, President of Congress.

*In Congress, July 26th, 1779.*

Resolved, unanimously—That the thanks of Congress be given to his Excellency, Gen. Washington, for the vigilance, wisdom, and magnanimity, with which he has conducted the military operations of these States, and which are, among many other signal instances, manifested in his orders for the late glorious enterprise and successful attack on the enemy's fortress on the banks of Hudson's river.

Resolved, unanimously—That the thanks of Congress be presented to Brigadier General Wayne, for his brave, prudent, and soldiery like conduct, in the spirited and well conducted attack of Stony Point.

Resolved, unanimously—That Congress entertain a proper sense of the good conduct of the officers and soldiers under the command of Brigadier General Wayne, in the assault of the enemy's works at Stony Point, and highly commend the coolness, discipline, and firm integrity exhibited on the occasion.

Resolved, unanimously—That Lieutenant Colonel Fleury and Major Steward, who, by their situation in leading the two attacks, had a more immediate opportunity of distinguishing themselves, have, by their personal achievements, exhibited a bright example to their brother soldiers, and merit, in a particular manner, the approbation and acknowledgment of the U. States.

Resolved, unanimously—That Congress warmly approve and applaud the cool, determined spirit with which Lieutenant Gibbon and Lieutenant Knox led on the forlorn hope, braving danger and death in the cause of their country.

Resolved, unanimously—That a medal, emblematical of the action, be struck: That one of gold be presented to Brigadier General Wayne, and a silver one to Lieutenant Colonel Fleury and Major Steward, respectively.

Resolved, unanimously—That brevets of Captain be given to Lieutenant Gibbon and Lieutenant Knox.

Resolved, unanimously—That the brevet of Captain be given to Mr. Archer, the bearer of the General's letter, and volunteer aid to Brigadier General Wayne.

Resolved, unanimously—That Congress approve the promises of reward made by Brigadier General Wayne, with the concurrence of the commander-in-chief, to the troops under his command.

Resolved, unanimously—That the value of the military stores taken at Stony Point, be ascertained, and divided among the gallant troops by whom it was reduced, in such manner and proportion as the Commander-in-chief shall prescribe. [Extract from the minutes.]

CHAS. THOMSON, Sec'y.

*From Major General Schuyler:—*

SARATOGA, July 31st, 1779.

Dear Sir—Yesterday I was honoured with a line from our amiable General, advising me of the reduction of Stony Point, and dwelling on the propriety with which it was executed. It was not the least part of my satisfaction to learn that you conducted it; and I most sincerely congratulate you on the increase of honor which you have acquired. Such of the enemy as have hitherto held erroneous ideas of the bravery and military prowess of our troops, must now be perfectly convinced of their mistake. Pray make, not my compliments only, but my love to Gen. St. Clair, and especially to that great and good man, General Washington, to whom we are all so much indebted.

I am, dear sir, most sincerely, your obdt. humble servt.  
Gen. WAYNE. P. SCHUYLER.

*From Dr. Benjamin Rush:—*

PHILADELPHIA, Aug. 6th, 1779.

My Dear Sir—There was but one thing wanting, in your late successful attack upon Stony Point, to complete your happiness, and that is, the wound you received should have affected your hearing; for I fear you will be stunned, through these organs, with your own praises. Our streets, for many days, rung with nothing but the name of General Wayne. You are remembered constantly next to our great and good Washington,

over our claret and madeira. You have established the national character of our country—you have taught our enemies that bravery, humanity, and magnanimity, are the national virtues of the Americans.

Accept, my dear sir, of my share of gratitude for the honour and services you have done our cause and country. Mrs. Rush joins in the offering, and when our little ones are able to repeat your name, we shall not fail to tell them, in recounting the exploits of our American heroes, how much they are indebted to you, for their freedom and happiness.

Adieu, my dear friend; and be assured of the sincere affection of yours, most sincerely.

Gen. WAYNE.

BENJAMIN RUSH.

*Light Infantry Camp, near }  
Fort Montgomery, 20th Sept. 1779. }*

Dear Rush,—Among the many congratulatory and friendly letters which I have lately received, none has given me greater pleasure than yours, of the 6th ult.

My highest ambition is to merit the good opinion of my country and the esteem of my friends—but I know so much of mankind, and I have so often experienced the vicissitude of fortune in the field, that I hold the plaudit of the giddy multitude, whose voice, like the vane or weathercock, veers with every wind which blows, at little value,—as it but too often justifies the old adage,

“On eagles’ wings immortal scandals fly,  
Whilst virtuous actions are but born and die.”

Thus you see, my friend, that I am not blinded by the sunshine of an hour and the fairness of the present gale; but prepared to meet every adverse tempest with a becoming fortitude, regardless of the momentary opinion of the world. I trust that the rectitude of my heart will, at one day, do justice to my character.

Present my best and kindest wishes to Mrs. Rush—tell her that I expect the honor of leading down a dance with her this winter, and I sincerely hope that the pleasure accompanying it may be *unalloyed* with any idea of danger, but in the full enjoyment of *peace, liberty and safety*.

Till when, and ever, believe me yours, most sincerely,

ANTHONY WAYNE.

Doctor RUSH.

The following is a letter from the venerable and venerated General John Armstrong, who, previously to the revolutionary war, had greatly distinguished himself in expeditions against the Indians, and who had been most honorably noticed by Pennsylvania, the state of his adoption, for his victory at the Indian villages on the Kittanning—the site of which is now contained within the limits of a county which bears the name of Armstrong, in commemoration of the civil and military services of that good, pious, and valuable man, who headed the Pennsylvania militia in every important battle which was fought in that state, during the revolutionary war.

It is presumed that no letter which Gen. Wayne received on this occasion, was more gratifying to him than that from his aged and worthy friend, Gen. Armstrong. No answer to it appears among the General's letters, *very many* of which have fallen victims to time or accident.

PHILADELPHIA, 15th Sept. 1779.

Dear General—I consider you now, as your friends and fellow-citizens generally do, a favourite in the dispensation of great and brilliant events, which the Supreme Agent so sparingly bestows, even on soldiers of the first natural firmness. Once in an age, or in the course of some great revolution, Heaven marks out some particular leader for an acquisition like yours at Stony Point. Not for the aggrandizement of the individual, or making a feeble insect mad, (for you know the frailties of our nature,) but rather for the illustration of his own will, and approbation of the cause he has vouchsafed to espouse, is this lustre thrown on the infant arms of America. You will then ask, what share

of these distinguished honors belong to you? I answer, enough; and more than your feeble shoulders, or the mind of any soldier on earth, is able to bear, without the same aid that first led you up to the charge, *but aid operating in a different manner*; nor is there less heroism and true magnanimity requisite in supporting under and properly improving such signal honours, attended with her infectious train, than that which possessed the breasts of your brave little army, when contrasted to every implement of death. “Greater is he who ruleth his own spirit, under every temptation, than he who taketh a city.” I have on purpose delayed this short congratulatory letter; old-fashioned I designed it to be, in order that time might be given for the evaporation of such aërial particles as generally mix with those of modern complexion; and whilst I rest assured of your candid construction, I beg you to believe the high sense I am happy to possess of the obligations of the public to your merit, and that of your gallant assistants; and that I am, with every sentiment of gratitude and esteem, dear General, your affectionate friend, and humble servant.

Gen. WAYNE.

JOHN ARMSTRONG.

*From Marquis de Lafayette:—*

HAVRE DE GRACE, France, }

October 7th, 1779. }

Dear Sir—With the greatest pleasure I take this opportunity of congratulating you on your admirable expedition at Stony Point.

Besides the general and hearty satisfaction I feel from any advantage which may bless the arms of my fellow American soldiers, I was particularly delighted in hearing that this *glorious affair* had been conducted by my good friend, Gen. Wayne.

I beg, my dear Sir, you would present my compliments to my friends and acquaintances in the army, and believe me, most affectionately, yours,

LAFAYETTE.

The Hon. Brigadier General WAYNE.

PHILADELPHIA, 25th Oct. 1779.

Sir—I have the pleasure of transmitting you the thanks of the General Assembly and the Executive Council of the State, for your meritorious and important services during the campaign; and request you to communicate, in some suitable manner, to the companions of your glory and danger, the sense of the State on their conduct, as expressed in the enclosed.

I am, sir, with great esteem, your most obedient servant,

JOSH. REED, President.

Brigadier General WAYNE.

*In Council:*

PHILADELPHIA, Oct. 20th, 1779.

The Honorable House of Assembly, having taken into consideration the meritorious services of Gen. Wayne, and the troops of the Pennsylvania line, under his command, particularly in the attack on Stony Point, on the sixteenth day of July last, and come to the following resolve, to wit:

*In General Assembly of Pennsylvania; }*  
October 10th, 1779. }

The Assembly of Pennsylvania, taking into their consideration the services performed by General Wayne, and the officers and soldiers of the Pennsylvania line, in the attack on Stony Point, and the recommendation of the Supreme Executive Council,

Resolved, unanimously—That the thanks of this House be given to Gen. Wayne, and the officers and soldiers of the Pennsylvania line, for the courage and conduct displayed by them in the attack on Stony Point, the honor they have reflected on the state to which they belong, the clemency they showed to those in their power, in a situation when, by the laws of war, and stimulated by resentment, occasioned by the remembrance of a former massacre, they would have been justified in putting to death every one of the garrison, will transmit their names with honor to the latest posterity, and will show that true bravery and humanity are inseparable.

Resolved, That this resolution be transmitted to the supreme Executive Council, and that they be requested to transmit the same to Gen. Wayne, to be by him conveyed to the officers and soldiers of the Pennsylvania line, under his command in the attack above mentioned.

Signed, by order of the House,  
JOHN BAYARD, Speaker.

Which has been duly communicated to this Board, and thereupon,

Resolved, unanimously—That the supreme Executive Council do cheerfully concur therein, and give their thanks to General Wayne, and the troops of the Pennsylvania line, for the bravery, humanity, and good conduct displayed on the above occasion, in which they not only acquired most deserved applause, but have reflected honour upon the state to which they belong.

[Extract from the minutes.]

T. MATLACK, Sec'y.

Marshall, in his life of Washington, says—"Although the design upon Fort Fayette had yielded to the desire of securing the success of the attack on Stony Point, it had not been abandoned.

Two brigades, under the command of Gen. McDougal, had been ordered to approach the enemy on the east side of the river, so as to be in readiness to attempt the works on Verplank's, where Col. Webster commanded, the instant General Wayne should obtain possession of Stony Point. That his detachment might not permit the favorable moment to pass unimproved, Gen. Wayne had been requested to direct the messenger who should bring the intelligence of his success to the Commander-in-chief, to pass through McDougal's encampment, and give him the earliest advice of that event. Unfortunately, through some misconception, never accounted for, the messenger despatched by Wayne did not call on General McDougal, but proceeded directly to head quarters, then at New Windsor."

That inestimable man, the writer of Washington's life, must have been misinformed as to the fact of either a request or order from the commander-in-chief, respecting the messenger which he mentions.

The only possible mode by which Gen. McDougal, then with his command on the east side of the Hudson, could have obtained timely intelligence of Gen. Wayne being in possession of Stony Point on the west, must have proceeded from night signals, displayed either from the fort or its immediate vicinity. In fact, it would appear, that the only information, if any, ever contemplated to be sent to McDougal, that the Americans were in possession of the works, was transmitted in the voice of thunder from the mouths of British cannon, the moment of their capture, and which the gallant stormers instantly turned "against the enemy's works at Verplank's Point and their shipping, which slipped their cables and immediately dropped down the river," which latter circumstance alone, was proof conclusive, that "the fort and garrison, with Colonel Johnston, are ours," a knowledge which General McDougal, if really executing his duty at the time, could not have failed acquiring from his own videttes or messengers.

Further, "McDougal being on the east side of the Hudson, with two brigades, was ordered to be in readiness to attempt the works on Verplank, the instant General Wayne should obtain possession of Stony Point."

Was it possible that a messenger, in the dead of night, and in the face of an enemy lining the opposite shore with his sentinels and guards, throwing all other casualties out of consideration, could have proceeded by a circuitous route over land and water, and give General McDougal seasonable notice that Gen. Wayne was in "possession of Stony Point."

It is presumed that these reasons alone will justify the assertion that Mr. Marshall must have been misinformed on this subject, because he is a man of too much honor and candour to have attempted a resort to such

means, either for the exculpation of General McDougal, or the inculpation of Gen. Wayne in this instance.

Had General Wayne been accessory to an omission of a point of duty, which appears in the case above animadverted on, to be indirectly imputed to him, neither General Washington's attachment to him, his gallant enterprise, his wounded head, nor the confusion of the moment would have secured him against his General's censure; yet not a word, not even an insinuation of the kind is discoverable in any public or private communication from the commander-in-chief, on the subject of this enterprise, but altogether the reverse; the highest possible encomiums which a General could bestow on an officer, has Washington, from the beginning to the ending of the enterprise against Stony Point, bestowed on General Wayne. Encomiums which excited an envy that has survived the hero on whose military character they shed such a brilliant lustre. On this, as well as on many other occasions, his beloved commander erected a monument for him—

—ere perennis

Regaliq; situ pyramidum altius;"

General Howe was ordered, within forty-eight hours after the capture of Stony Point, to proceed with McDougal's detachment, to reduce the works on Verplank's, which the Commander-in-chief, on the 16th, having carefully reconnoitered, from Stony Point, considered entirely practicable. But in this attempt he failed, says Mr. Marshall, "through some unaccountable negligence in the persons charged with the execution of the orders, the heavy artillery was not accompanied by suitable ammunition, and the necessary entrenching tools were not brought. These omissions were supplied the next day, but then it was too late to proceed against Verplank's. On receiving intelligence of the loss of Stony Point, and of the danger to which the garrison of Fort Fayette was exposed, Sir Henry relinquished his views on Connecticut, and made a forced march to Dobb's Ferry. Some troops were immediately embarked to pass up the river, and a light corps was pushed forward to the banks of the Croton, for the purpose of overawing the detachment about to attack Colonel Webster. This movement, by rendering it necessary for Gen. Howe to retire into the Highlands, relieved Fort Fayette."

Truly, this fort must have been under the special protection of Providence. However, it would appear that the omissions of General Howe, or those immediately under his command, in not providing *suitable ammunition* for the heavy cannon, and the *necessary entrenching tools*, were somewhat greater than the omission imputed to General Wayne's messenger, in not travelling a circuitous route, by water and land, for the purpose of telling McDougal that "the fort and garrison, with Col. Johnston, are ours."

The American army not being in sufficient strength to furnish a competent garrison for the protection of Stony Point, and other purposes, it was evacuated, the cannon, stores, &c. removed, and the works almost entirely destroyed, on the night of the 18th of July, being the third night subsequently to their capture. Immediately after this, Sir Henry repossessed himself of the post, repaired the fortifications, and stationed, for their defence, a much stronger garrison than that which had previously occupied the fort, the command of which was assigned to Brigadier General Sterling.

It was remarked by such of the contemporaries of General Wayne as were intimately acquainted with him, that his presence of mind never forsook him in the most critical situations. The truth of which is verified, at least, in the instance which the following letter records.

This letter was discovered among the papers of the late General Wayne, carefully enveloped and sealed up, directed to a much esteemed friend, and favored by a distinguished officer of the army, General William Irvine, who certainly would have delivered it, had the e-

vent occurred which the General contemplated. It also affords an evidence of his affectionate and honourable anxiety respecting his family, when its protector should be consigned to the mansion of the dead.

*Spring Steel, 15th July, 1779, }  
Half after nine o'clock, P. M. }*

*Near the hour and scene of Carnage.*

Dear Delany,—This will not reach your eye until the writer is no more. The enclosed papers I commit, in their rough state, to your charge, that in case any ungenerous reflections may hereafter drop from illiberal minds, my friend may be enabled to defend the character and support the honour of the man who loved him, and who fell in defence of his country and the rights of mankind.

You have often heard me default the supineness and unworthy torpidity into which Congress were lulled, and that it was my decided opinion this would be a sanguinary campaign, in which many of the choicest spirits, and much of the best blood in America would be lost, owing to the parsimony and neglect of Congress.—If ever any prediction was true, it is this; and if ever a great and a good man was surrounded with a choice of difficulties, it is General Washington. I fear the consequence; I see clearly that he will be compelled to make other attempts and efforts, in order to save his country; that his numbers will not be adequate, and that he may also fall a sacrifice to the folly and parsimony of our worthy rulers.

I know that friendship will induce you to attend to the education of my little son and daughter. I fear that their tender mother will not survive this stroke; do go and comfort her—tell her that her children claim her kindest offices and protection.

My best and sincere wishes to Mrs. D\*\*\*\*, and to all friends. I am called to supper, but where to breakfast?—either within the enemy's lines in triumph, or in another world; then farewell, my best and dearest friend, and believe me, to the last moment, yours, most sincerely,

ANTHONY WAYNE.

SHARP DELANY, Esq.

The papers which the General mentions, as having been enclosed in this letter, principally consisted of documents on which he rested the propriety of declining a command in the Pennsylvania line, subordinate to that which he had enjoyed for nearly two years, without his having originally solicited it. Those papers were therefore intended to be left in the hands of a friend, to shield his memory from any false injurious representation of his motives in the instance mentioned.

The wound which General Wayne received at the storming of Stony Point, was inflicted by a musket ball, just after his having passed the last abatis, near the fort. It struck his forehead, and grazed the skull nearly two inches in length, under the hair. He instantly fell, and as quickly rose on one knee, and immediately exclaimed, "forward, my brave fellows, forward!"—then, in a suppressed voice, addressed his aids, "assist me, if mortally wounded, I will die in the fort." The General and his aids triumphantly entered the fort, amongst the foremost of the gallant troops:

"Who, while they felt the whistling ball,

Tore the proud standard from the vanquished wall." The infantry cap which the General wore on that night, and which was perforated by the ball that struck him, was beaver, having a crest neatly ornamented with white horse hair. The cap was long and piously preserved by his family; but ultimately it fell a victim to fire, which, by some means, was unfortunately, communicated to the closet in which it, together with other military apparatus, had been carefully deposited.

Although General Wayne, during the revolutionary war, received several wounds, yet in no instance would he permit his name to be returned as among the wounded. The one which he received at Stony Point in a few days suppured, which was followed by a partial exfoliation;—this speedily ceased, the wound healed,

and he was again ready for active service. The cicatrice occasioned by this occurrence was not visible, unless when the hair was separated for the purpose of rendering it so.

It is hoped that the detail and number of letters presented on this occasion, will neither fatigue the reader, nor disappoint the pleasure which he may have anticipated from their perusal.

## CANAL DOCUMENTS.

*Extracts from the Report of the superintendent on the DELAWARE DIVISION, of the Pennsylvania Canal, 20th November, 1828.*

The statement of Mr. Sargent, the engineer on this division annexed to this report, shows the probable amount of work remaining to be done, with an estimate of what the same will cost at contract prices. I have also added a general recapitulation of the whole, to which is annexed a comparison between the original estimate of the engineer and the amount at contract prices, with a view to conform as near as possible with the requisition of the fourth section of the act of 16th of April, 1827.

By a reference to the statements, it will be seen that since the 13th October, 1827, 106 sections of about half a mile each, making nearly 53½ miles of canal, together with the basin at Bristol, and all the mechanical work of every description, with the exception, of houses for the accommodation of lock-keepers, have been contracted for; 37 of those sections have been completed in a handsome and satisfactory manner, and the remainder as far as section 87, are progressing with steadiness and energy; those let on the 18th of the present month, will be commenced immediately.

With the exception of six waste wiers, which are completed, and some work on culverts and bridge abutments, nothing has yet been paid on account of any part of the mechanical work, that has been let at different times thro' the summer, and the necessity of procuring suitable timber for every part thereof, from the country up the Delaware, rendered it indispensable that the contractors should have it in their power to avail themselves of the spring freshet in the river for that purpose; it was therefore, distinctly stipulated at the time of making the contracts, that all the materials should be procured this fall and winter, so that the work might be commenced on the line as early next spring as the season would admit of.

About six miles, with the mechanical work on it, only remains to extend the line from Bristol to Easton; that will be advertised for contract whenever the board see proper to direct it to be done.

In closing this report it gives me no small pleasure to state, that with the exception of the prevalence of sickness to a very unusual degree in the neighborhood, throughout the latter part of the summer, and in which the engineer corps have suffered severely, so far, the steady and uniform progress of the work has been impeded by but few of those difficulties generally attendant upon works of its magnitude. No losses or extra expenses have in any case occurred to the state, and but rarely to individuals; for although the prices at which the work has been contracted for and executed, are justly esteemed low, yet by persevering industry and rigid economy, the contractors have, with one or two trifling exceptions been able to complete their jobs in a workmanlike and satisfactory manner. Indeed, it is due to them and to the hands employed on the line, to state distinctly, that their uniform good conduct has happily dissipated those unpleasant apprehensions which not a few entertained, previously to the commencement of the work, and been the means of allaying many of the prejudices against it.

Respectfully submitted,

TH. G. KENNEDY.

Canal Office, Delaware Division, Superintendent,  
November 20, 1828.

## STATEMENT

| Shewing the amount of work, now under contract, and remaining to be done on the Delaware division of the Pennsylvania canal, carefully estimated and calculated at contract prices. |             | On Section,  |  | Dolls. Cts. | Dolls. Cts. |
|---|-------------|--|--|-------------|-------------|
| On Section,   |             | 42 Fencing and excavation, embankment and protection wall outside  |  |             | 3,603 72    |
| 1. The basin, pier and tide lock at Bristol—lift locks No. 1, 2 and 3—culvert No. 1 turnpike bridge No. 1 fencing and all the grubbing, excavation and embankment of the section,   | 29,154 41   | 43 Road bridge No 33 fencing and excavation embankment and protection wall outside                                   |  |             | 4,275 83    |
| 2. Road bridge No. 2, and fencing,  | 705 39      | 44 Farm bridge No 34 and fencing and excavation  |  |             | 890 93      |
| 3. Farm bridge No. 3, and fencing, culvert No 2, and waste wier No. 1,  | 1,614 45    | 45 Fencing   |  |             | 233 60      |
| 4. Fencing,   | 263 60      | 46 Farm bridge No 55 & fencing, grubbing, excavation and embankment  |  |             | 1,345 50    |
| 5. Road bridge No. 4 and 5, fencing,  | 1,138 23    | 47 Fencing, grubbing, excavation, embankment, and protection wall outside  |  |             | 2,390 02    |
| 6. Road bridge No. 6 fencing & lock No. 4,  | 4,581 22    | 48 Fencing, excavation and embankment and protection wall outside  |  |             | 1,572 61    |
| 7. Farm bridge No. 7 fencing and culvert No. 3,   | 1,161 69    | 49 Road bridge No 56 and fencing, locks No 8 and 9 excavation and embankment and protection wall outside             |  |             | 14,249 97   |
| 8. Farm bridge No. 8 fencing and culvert No. 4,   | 1,171 55    |  |  |             | 35,975 17   |
| 9. Farm bridge No. 9 and 10, fencing and culvert No. 5,   | 1,314 19    | 50 Road and farm bridge No 57 and 58 and fencing lock No 10 and 11 aqueduct No 4 culvert No 10 and excavation        |  |             | 16,583 01   |
| 10. Road bridge No. 11, and fencing,  | 648 80      | 51 Road bridge No 59 and 60 and fencing, grubbing, excavation and embankment   |  |             | 2,826 19    |
| 11. Road bridge No. 12, fencing and culvert No. 6,  | 1,083 27    | 52 Road bridge No 61 and fencing, culvert No 11 and grubbing, excavation and embankment                              |  |             | 3,856 10    |
| 12. Fencing and culvert No. 7,  | 940 22      | 53 Fencing, grubbing, excavation and embankment  |  |             | 1,351 60    |
| 13. Road and turnpike bridge No. 13 & 14, and fencing,  | 1,194 93    | 54 Farm bridge No 62 fencing, culvert No 12 grubbing, excavation and embankment                                      |  |             | 3,005 50    |
| 14. Farm bridge No. 15, and fencing,  | 373 24      | 55 Farm bridge No 63 fencing, grubbing excavation and embankment   |  |             | 2,622 05    |
| 15. Road bridge No. 16 and fencing,   | 649 78      | 56 Farm bridge No 64 and fencing, grubbing, excavation and embankment  |  |             | 2,149 60    |
| 16. Farm and turnpike bridge No. 17 & 18, and fencing,  | 1,236 80    | 57 Road bridge No 65 and fencing, culvert No 13 waste wier No 8 grubbing excavation & embankment and wall outside    |  |             | 4,493 65    |
| 17. Road bridge No. 19, and fencing,  | 511 60      | 58 Farm bridge No 66 and 67 and fencing, grubbing, excavation and embankment and wall outside                        |  |             | 4,486 69    |
| 18. Farm bridge No. 20 & 21, and fencing,   | 619 08      | 59 Farm bridge No 68 and fencing, waste wier No 9 grubbing, excavation and embankment, and wall outside              |  |             | 7,706 10    |
| 19. Road bridge No. 22, fencing,  | 622 23      | 60 Fencing, grubbing, excavation and embankment and wall outside   |  |             | 16,898 60   |
| 20. Road bridge No. 23, fencing and about 2985 cubic yards of very hard rock Excavation,  | 2,519 55    | 61 Road bridge No 69 and fencing, culvert No 14 grubbing, excavation and embankment and wall outside                 |  |             | 18,627 60   |
| 21. Road bridge No. 24, and fencing,  | 770 79      | 62 Fencing, culvert No 15 and grubbing, excavation and embankment and wall outside                                   |  |             | 8,441 37    |
| 22. Road and foot bridge No. 25 and 26 and fencing and culvert No. 8,   | 1,202 17    | 63 Farm bridge No 70 fencing, lock No 12, grubbing, excavation and embankment and wall outside                       |  |             | 11,118 85   |
| 23. Foot bridge No. 27, fencing   | 360 56      | 64 Farm bridge No 71 fencing, aqueduct No 5 grubbing, excavation & embankment and wall outside                       |  |             | 11,769 79   |
| 24. Fencing and 100 yards of embankment at a spring run,  | 245 60      | 65 Fencing, waste weir No. 10, grubbing, excavation, and embankment and wall outside                                 |  |             | 15,808 20   |
| 25. Road bridge No. 28, and fencing   | 668 41      | 66 Road bridge, No. 72, fencing, locks No 13 and 14 waste weir No 11, grubbing excavation, embankment & wall outside |  |             | 11,389 59   |
| 26. and 27. Fencing   | 467 20      | 67 Farm bridge No 73 and 74 fencing, aqueduct No 6, grubbing, excavation & embankment and wall outside               |  |             | 8,116 87    |
| 28. Farm bridge No. 29 and fencing, & lock No. 5  | 4,293 36    | 68 Farm bridge No 75 fencing, grubbing, excavation & embankment & wall outside                                       |  |             | 1,574 76    |
| 29. Farm and road bridge No. 30 & 31 and fencing culvert No. 9 and aqueduct No. 1   | 3,004 79    | 69 Farm bridge, No 76 fencing, waste weir No 12 grubbing, excavation and embankment and wall outside                 |  |             | 1,862 65    |
| 30. Farm bridge No. 32 and 33, and fencing  | 595 20      | 70 Fencing, grubbing, excavation, and embankment and wall outside  |  |             | 14,374 80   |
| 31. Road bridge No. 4 and fencing and lock No. 6  | 4,414 51    | 71 Fencing, grubbing, excavation and embankment and wall outside   |  |             | 11,259 24   |
| 32. Road and farm bridge No. 35 and 36, and fencing, and lock No. 7, and some excavation and embankment at Slack's run  | 5,206 35    |  |  |             |             |
| 33. Road and farm bridge No. 37 and 38 and fencing, and some embankment at waste weir No. 5   | 962 17      |  |  |             |             |
| 34. Farm bridge No. 39 & 40 and fencing   | 577 92      |  |  |             |             |
| 35. Farm bridge No. 41 and fencing and aqueduct No. 2   | 3,355 52    |  |  |             |             |
| 36. Farm bridge No. 42 and 43 and fencing   | 528 72      |  |  |             |             |
|   | \$78,127 50 |  |  |             |             |
| 37. Farm and road bridge No. 44 & 45 and fencing  | 720 54      |  |  |             |             |
| 38. Farm bridge No. 46 and fencing, and some grubbing and excavation  | 630 51      |  |  |             |             |
| 39. Farm bridge No. 47 and 48 and fencing   | 555 48      |  |  |             |             |
| 40. Farm bridge No 49 and 50 and fencing and grubbing and earth and rock excavation   | 1,675 18    |  |  |             |             |
| 41. Road and foot bridge No. 51 & 52, and fencing aqueduct No. 3, and 1573 cubic yds., aqueduct embankment in section   | 3,831 08    |  |  |             |             |

|  |           |
|--|-----------|
| 72 Farm bridge No 77 and 78 fencing, locks No 15 and 16, waste weir No 13 grubbing, excavation and embankment            | 9,174 81  |
| 73 Farm bridge No 79 fencing, grubbing, excavation and embankment  | 3,006 08  |
| 74 Fencing, lock No 17, grubbing, excavation and embankment  | 8,471 39  |
| 75 Fencing, grubbing, excavation and embankment  | 2,257 52  |
| 76 Farm and road bridge No. 80 and 81, fencing aqueduct No 7 grubbing, excavation and embankment                         | 7,372 80  |
| 77 Farm bridge No 82, fencing waste weir No 14 grubbing, excavation and embankment                                       | 7,505 88  |
| 78 Farm and road bridge No 83 and 84, fencing, grubbing, excavation and embankment                                       | 4,156 64  |
| 79 Fencing, grubbing, excavation and embankment  | 993 60    |
| 80 Fencing, grubbing, excavation and embankment  | 2,153 48  |
| 81 Farm bridge No 85, fencing, lock No 18 grubbing, excavation and embankment  | 6,452 67  |
| 82 Fencing, grubbing, excavation and embankment  | 1,327 68  |
| 83 Farm bridge No 86, fencing, grubbing, excavation and embankment   | 2,245 28  |
| 84 Farm bridge No 87, fencing, grubbing, excavation and embankment   | 2,282 74  |
| 85 Farm bridge No 87, a fencing lock No 19, waste weir No 15, grubbing, excavation and embankment                        | 6,431 61  |
| 86 Farm bridge No 87 b and 87 c grubbing, excavation and embankment  | 3,365 10  |
| 87 Farm bridge 88, fencing, grubbing, excavation, embankment   | 3,799 00  |
| 88 Farm and road bridge 89 and 90, fencing grubbing, excavation,   | 2,011 10  |
| 89 Farm and road bridge 91 and 92, fencing and excavation  | 1,851 00  |
| 90 Farm bridge 93 and 94, fencing, culvert No 16, grubbing, excavation, embankment                                       | 3,966 00  |
| 91 Farm bridge 95, fencing waste weir No 16, grubbing, excavation, embankment  | 2,146 66  |
| 92 Fencing, grubbing, excavation, embankment   | 3,304 00  |
| 93 Farm bridge 96, fencing, grubbing, excavation, embankment and protection wall outside                                 | 7,041 50  |
| 94 Fencing, grubbing, excavation, embankment and protection wall outside   | 13,640 40 |
| 95 Farm bridge 97, fencing lock No 20, grubbing, excavation, embankment and protection wall outside                      | 19,995 00 |
| 96 Farm bridge 98, fencing aqueduct No 8, grubbing, excavation, embankment and protection wall outside                   | 12,744 70 |
| 97 Farm and road bridge 99 and 100, fencing, grubbing, excavation  | 2,310 00  |
| 98 Road bridge 101, fencing, grubbing, excavation  | 3,162 50  |
| 99 Road bridge 102, fencing culvert No 17 waste weir No 17, grubbing, excavation, embankment and protection wall outside | 12,082 10 |
| 100 Fencing lock No 21, aqueduct No 9, culvert No 18, grubbing, excavation, embankment & protection wall outside         | 17,319 34 |
| 101 Road bridge 103, fencing, grubbing, excavation, embankment   | 1,759 65  |
| 102 Farm and road bridge 104 and 105, fencing, grubbing, excavation  | 2,004 93  |
| 103 Fencing, grubbing, excavation, embankment and protection wall outside  | 3,829 50  |
| 104 Fencing waste weir No 18, grubbing,  |           |

|   |                     |
|---|---------------------|
| excavation, embankment and protection wall outside                                      | 11,804 30           |
| 105 Fencing culvert No 19, grubbing, excavation, embankment and protection wall outside | 12,121 50           |
| 106 Fencing, grubbing, excavation, embankment and protection wall outside               | 22,047 60           |
|   | <u>158,940 78</u>   |
|   | <u>\$320,564 05</u> |

*To the Superintendent of the Delaware Division of the Pennsylvania Canal.*

SIR—In compliance with the instructions from the board of canal commissioners, which were communicated by you on the 1st instant, I herewith transmit an estimate at contract prices, of the amount of work remaining to be done, from section 1 to 106, inclusive, extending from Bristol to a point near Godfrey Raub's, and about six miles south of the Lehigh at Easton. In making this estimate, I have included under the head of each section, all the mechanical work that will occur, also the amount of cubic yards of excavation, embankment, rock or hardpan, as nearly as the different items can be determined previous to the execution of the work, which, on a few sections, is not commenced. It is, therefore, probable that the completion of the work may change the amount of different items, but it is confidently believed, that the sum total cannot be materially affected.

H. G. SARGENT, *Engineer.*

Canal Office, Delaware Division, }  
November 20, 1828.

*General Recapitulation.*

|   |                   |
|---|-------------------|
| Amount paid for work of sections from 1 to 36 incl.   | \$70,275 81       |
| do do 37 to 49 do.  | 24,289 73         |
| do do 50 to 86 do.  | 3,896 60          |
|   | <u>98,462 14</u>  |
| do on culverts  | 579 08            |
| do waste weirs  | 1,443 02          |
| do bridges  | 573 64            |
|   | <u>2,595 74</u>   |
| Total amount paid for work done up to 20th November, 1828,  | \$101,057 88      |
| Amount retained till completion on sections   | 4,722 23          |
| do do on culverts   | 90 00             |
| do do on bridges  | 137 00            |
|   | <u>\$4,949 23</u> |
| Amount of work remaining to be done from section 1 to 36 incl.  | 78,127 50         |
| do do do 37 to 49 do.   | 35,975 17         |
| do do do 50 to 86 do.   | 247,520 60        |
| do do do 87 to 106 do.  | 158,940 78        |
| Amount required to complete the work now under contract   | 520,564 05        |
| Add the am't already pd as above  | 101,057 88        |
| To which add am't retained do.  | 4,949 23          |
|   | <u>106,007 11</u> |
| Total cost of canal from section 1 to 106 inclusive, at contract prices   | \$626,571 16      |
| To which add original estimate of the engineer, for the remaining 6 miles—see his report of August 20th, 1827, viz: |                   |
| Cost of sections 1, 2, 3, 4, 5, 6, in that rep. estimated for 4 ft water  | 102,070 81        |
| Add for additional cost of 5 do   | 4,000 00          |
| Add for lockage and wastewiers on said six miles  | 12,500 00         |
| do dam across Lehigh  | 6,000 00          |
|   | <u>124,570 81</u> |
| Add 10 per cent.  | 12,457 08         |

|  |              |
|--|--------------|
| Total cost of the canal from Bristol to Easton, from the foregoing data  | 763,599 05   |
| From which deduct the amount paid on work as above   | 101,057 88   |
| Sum necessary to complete the work   | \$662,541 17 |
| <i>Note.</i> —Damages, houses for the accommodation of lock keepers and current contingent expenses, not having been estimated, are consequently not embraced in the foregoing recapitulation.                                   |              |
| <i>Comparison between the original estimate of the Engineer and the actual contract prices.</i>  |              |
| Total cost of canal from Easton to Bristol, see engineers report of 20th Aug. 1827,  | \$686,596 77 |
| To which add for additional cost of locks & road bridges, on the plan adopted, over that on which the original estimate was predicated   | 64,575 00    |
| Add for fencing on the river sections, not included in the original estimate, but included in the amount at contract prices, as a protection in either of fencing or wall, to an equal amount will be necessary in those places, | 3,840 00     |
| Original estimate  | 755,011 77   |
| Total cost of canal at contract prices from section 1 to 106 incl. & at the original estimate from thence to Easton, see ab. recap.  | 763,599 05   |
| Deficit in original estimate   | \$8,587 28   |

#### UNSEATED LANDS.

*Report of the committee on the Judiciary System, relative to the sale of unseated lots of ground in the several towns, boroughs and cities.*

House of Representatives—Read Jan. 10, 1829.

Mr. Mallory, from the committee on the Judiciary System, to whom was referred the resolution concerning the sale of unseated lots of ground, in the several towns, boroughs and cities, made the following report, which was read, viz:

That they have carefully examined the subject contained in said resolution, and find, that under the provisions of the twenty-fifth section of the act of the 11th of April, 1799, and of the second section of the act of the 3d of April, 1804, *all unseated lands*, within this commonwealth, held by individuals, companies, or bodies corporate, either by improvement, warrant, patent or otherwise, shall for the purpose of raising county rates and levies, be valued and assessed as other property. And by the act of the 13th of March, 1815, the treasurer of the proper county, is directed to make sale of the whole, or any part of such tracts of *unseated lands*, as will pay the arrearages of taxes, levied by the provisions of the acts aforesaid. Every species of unseated real property, is clearly included within the words, *all unseated lands*, and certainly within the intention of the legislature. Indeed it is difficult to conceive what words of more comprehensive import could have been used by the legislature, than those found in the acts referred to.

It may be observed, that the liability to taxation does not depend upon the quantity contained in any given tract, nor could any such distinction be made, while the commonwealth has granted land in any quantity, from one thousand acres, to one acre, or the fraction of an acre.

Under the present laws, any portion of land held by an individual, &c. may be assessed, and sold for the payment of taxes, provided the same be *unseated*.

Unseated lots of ground could not be assessed as *seated*, and we are not to presume, that the legislature omitted to make provision for the taxation of this description of property, in defiance of the broad and gen-

eral language of the law. The eighth section of the act of the 11th of April, 1799, in enumerating the kinds of seated property liable to assessment, mentions *houses and lots of ground*; but the words taken in connexion with the following part of the sentence, plainly mean that the house, and the land connected with it, shall be assessed together as seated; and can have no influence in giving a construction to the twenty-fifth section of the same act.

The act of the 28th March, 1814, directing all *vacant* lots and pieces of ground in the city and county of Philadelphia, to be sold for the payment of *all taxes as unseated land*, should not be considered as a legislative construction of the law that *unseated lots* in other parts of the state, could not be sold for the payment of *county rates and levies*. It would be difficult to make further provisions upon this subject, without such an expression of legislative opinion, as might affect the rights of individuals, even if any doubt existed in the case; but in the opinion of the committee, there exists no necessity for any further enactment.

The committee therefore respectfully offer the following resolution:

*Resolved*, That the committee be discharged from any further consideration of the subject.

#### DISCOVERY AND INTRODUCTION OF ANTHRACITE COAL.

*Discovery and Introduction of Schuylkill coal—Anthracite—Stone coal of Schuylkill county.*

We are led to believe that the following history of the use and introduction of Anthracite in Pennsylvania, will not be uninteresting to our readers. This coal was known to exist in this neighbourhood more than forty years ago; and some search was made, but the coal found being so very different from any which was previously known, it was not thought to be of any value, and the search was abandoned. It is supposed to be forty years since a blacksmith by the name of Whetstone, found coal and used them in his smithshop. At a very early period, Judge Cooper declared his belief of the existence of coal in this district and the Messrs. Pett's explored various places along the old Sunbury road, but success did not attend their operations. A Mr. William Morris, afterwards became the proprietor of most of the coal lands at the head of our canal; he found coal, and took some quantity to Philadelphia, about the year 1800; but all his efforts to bring them into use, failed, and he abandoned the project, and sold his lands to Mr. Pott.

It does not appear that much notice was taken of the coal from the time of Whetstone, and the search made by Messrs. Pott's, until about twenty years ago; when a person by the name Peter Bastrus, a blue dyer, in building the valley forge, found coal in the tail race.—About the same time, a Mr. David Berlin, a blacksmith, in this neighbourhood, permanently commenced and introduced the use of stone coal in the smith's forge, and continued to use and instruct others in their use for many years afterwards. But few persons, however, could be induced to use them; prejudice and old habits again became victorious, and appear to have held undisputable sway until about the year 1812, when Mr. George Shoemaker, a resident of this town, and Niche Allen, discovered coal, on a piece of land, they had purchased, now called Centreville. Allen soon became disheartened, and gave up the concern to Shoemaker, who, receiving encouragement from some gentlemen in Philadelphia, got out a quantity of coal, and took nine wagon loads to Philadelphia. Here again, our coal met with a host of opposition. On two wagon loads, Mr. S. got the carriage paid, the others he gave away to persons who would attempt to use them. The result was against the coal; those who tried them, pronounced them stone and not coal, good for nothing, and Shoemaker an impostor. At length after a multitude of disappointments, and when Shoemaker was about to abandon the coal and return home,



Messrs. Mellon and Bishop, of Delaware county, made an experiment with some of the coal in their rolling mill, and found them succeed beyond expectation, and to be a highly valuable and useful fuel. The result of their experiments was published at the time in the Philadelphia papers. Some experiments with the coal were made in the works at the falls of Schuylkill, but without success. Mr. Wernwag, the manager at the Phoenix works at French creek, also made trial of our coal, and found them eminently useful. From that time forward, the use of the coal spread rapidly, and now bids fair to become a most important and valuable branch of trade, and to produce results highly beneficial to the interests of Pennsylvania generally.

The foregoing statement may appear minute, but it is due to the individuals who laboured to force upon us the great benefits which coal is and will be to our state. We are aware that the credit of pointing out the use, and perhaps of discovering the Anthracite, has been claimed by, and awarded to, individuals in another part of our state: but it is within the knowledge of many, that those individuals joined in pronouncing the coal good for nothing. We have abundant testimony also for the facts and dates we have given; from which it appears, that to Mr. David Berlin, George Shoemaker, and Messrs. Mellon and Bishop, are we indebted for the discovery of the use and introduction of our anthracite or stone coal.—*Miner's Journal*.

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### EARLY SETTLEMENTS ON DELAWARE.

*An order concerning Lands on Delaware River and Bay.*  
BY THE GOVERNOR

By virtue of the authority under his Royal Highness I doe hereby desire and require all persons that have or claim any Land in Delaware river and bay that they do without delay or as soon as conveniently my bee make a due return to the Clerk of the Court in whose jurisdiction said land lyes of such their land quantity and situation according to the surveys Platts or Cards hereof and said courts to make a return of the whole unto me and whether seated and improved that all such wanting graunts or pattents may have them dispatched and sent this order to be published in the several courts which to take care therein and surveyor also to give notice and see it be observed where he shall know or find the defect actum in New York this 13th of August 1677 E. ANDROSS.

*An order appointing Mr Ephraim Harman to receive Quit Rents.*

BY THE GOVERNOR

By virtue of the authority under his Royal Highness I do hereby constitute and appoint you Mr. Ephraim Harman to bee receiver of Quit rents in Delaware river in the jurisdiction of New Castle and upland Courts for which to give due discharges and keep an exact account to be sent here by the first of May made up to the 25 of March afore for which this shall be your sufficient warrant to continue for the space of one whole year or till further order actum in New York this 13th August 1677 E. ANDROSS.

*Commission for Capt Christopher Billop to be Commander in Delaware river and Bay*

EDMUND ANDROSS &c.

By virtue of the authority derived unto me under his Royal Highness I do hereby constitute and appoint you Capt Christopher Billop to be commander in Delaware river and Bay you are therefore to take care that the militia in the several places be well armed duly exercised and kept in good order and discipline and the officers and soldiers thereof are required to obey you as their Commander and yourself to ob-

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serve such orders and directions as you shall from time to time receive from me or other superior officers according to the trust reposed in you Given under my hand and seale in New Yorke this 14th day of August 1677

EDMD. ANDROSS

To Capt Christopher Billop

*A letter to the Justices of the Court at New Castle in Delaware.*

New York, August 14th, 1677.

GENTLEMEN

This is by Capt Billop who goes to relieve Capt Collier and to be commander of the militia and forces in the River and Bay and to take care as chief officer and accordingly to determine any difference and order guards and guard places as occasion and will presently for the out farms or plantations in New Castle bounds, he is also sub collector and Mr. Harman's Clerk of ye customse I have also by Mr. Ephraim Herman returned you the old records the confusedness or ill order of which I can in no ways remedy butt that Mr Tom the then clerk do forthwith put ye same in order & write or cause them to be fairly copyed in a fit book and attested by him and answer for any defects I intend making up your court again next month, the usual time when you may also expect one of our Law Books, as the penal Bonds or such like cases of Equity it is the custom and practice of courts here to hear and judge thereof according to Equity wch you may observe is allowed by Law I find no need of a general or high court. In the River every court having power to make fitting rates for the high ways poor or other necessarys as is practised in England and unless otherwise ordered by said court the clerk proper to be receiver and pay all by orders of court for wch your need no further authority or directions from the Governor than former orders and rules for keeping due accompts to be yearly examined and past in court and copies remitted here— You may appoint a vendue master he giving good security and not to take above six per cent Which I shall be ready to confirme.

Pray take care and fitting orders for ordinarys that they be fit persons duly licensed and well provided according to Law and that none else bee admitted to retaille which is all at present from your affectionate friend E. ANDROSS

*An Order appointing Mr. Walter Wharton To be surveyor In Delaware Bay and river*

BY THE GOVERNOR

Whereas I have and do hereby by virtue of the authority derived unto me under his Royall Highness appoint Mr. Walter Wharton to be surveyor in Delaware Bay and river I do hereby consent to allow and authorize his receiving for surveying of every fifty acres and under ten shillings above fifty acres and under one hundred Twenty shillings above one hundred acres and under one hundred and fifty Thirty shillings and so proportionably for any greater quantity, and no more giving to the persons for whom any lands shall be surveyed a survey platt or card of said lands and to make due returns of the same unto the office of records said persons also to find boat or horse or allow it and other travelling fitting charges of ye surveyor All Lands to be carefully Laid out from the water side if it may be or so as not to hinder any or be prejudiciall to adjacent lands and to lay out fitting high ways or convenient roads Given under my hand in New Yorke this 14th day of August 1677. E. ANDROSS

*A letter to the Justices or Magistrates of the County of New Castle*

GENTLEMEN I have writ to the Commander and this is to acquaint you also that having his Royall Highnesses leave for my occasions this winter so as to return in the spring all things being well through the whole government I intend God willing going home in a ship here bound for London leaving all things to remain in all parts of the government as then settled and therefore

recommend your being very vigilant and carefull (whch I will not doubt) for the due administration of justice in your severall stations particularly that inferiour officers do their duty for the good and quiet of their respective places according to Law any appeals to be to the Court of Assizes which or extraordinary may be to the Secretary Capt. Nicolls here and if occasion to be communicated to the Councell. I am your affectionate friend to serve you  
— E. ANDROSS

One of the same tenor and date sent to the Justices or Magistrates of the Co<sup>rt</sup> of Upland and another to those of the Whorekills

*Commission for Capt Antho. Brockhold to be Commander of Fort James &c*

EDMOND ANDROSS Esq

By virtue of his maj<sup>ties</sup> Lett<sup>r</sup> p<sup>at</sup>tents and the Commission and authority given unto me by his Royal Highness I doe hereby constitute and appoint you Capt Antho. Brockhold to be commander of Fort James as also of the militia of this city Long Island and Dependences during my absence or till further order You are therefore to be very careful in your duty for his maj<sup>ties</sup> and Royall Highnesses service according to the trust reposed in you and to observe such orders and directions as you shall from time to time receive from me or other your superior officers and all inferiour officers and Soldiers are required to obey you as their Commander and cheif officer according to the rules and Discipline of Warr Given under my hand and seale in New Yorke this 7th day of November 1677

E. ANDROSS

*Commission for the Justices of the Whore Kills.*

EDMOND ANDROSS Esq &c

By virtue of his maj<sup>ties</sup> letters P<sup>at</sup>tent and the Commission and authority unto me given by his Royall Highness I doe hereby in his maj<sup>ties</sup> name Constitute appoint and authorize you Holmanus Wiltbunck Henry Smith Alexander Molesteyn Edwd Southeron Paul Mash John Barkstead and Jno. Roads to be Justices of the peace at the Whore Kill and Dependences and any four or more of you to be a court of Judicature And in case of sickness absence or otherwise of the first &c the next in Commission to preside Giving you and every of you full power to act in said employment according to law and former practice of which all persons concerned are to take notice and give you the due respect and obedience belonging to your places in Discharging your duty This Commission to be of force for the space of one year after the date hereof or till further order Given under my hand and seale of the province in New Yorke this 10th day of November In the 29th year of his maj<sup>ties</sup> reign Annoq Domini 1677.

E. ANDROSS

*A Confirmation granted unto Capt. John Carre for a piece of ground in Delaware River*

RICHARD NICOLLS Esq. principal commissioner for his maj<sup>tee</sup> in new England Governour General under his Royal Highness James Duke of Yorke and Albany &c of all his territories in america and Commander in cheif of all the forces employed by his majesty to reduce the Dutch nation and all their usurped lands and plantations under his majestys obedience

*To All To Whom these presents shall come*

SENDETH GREETING

Whereas there is a certain peice or parcell of meadow valley or marsh ground scituate lying and being in Delaware river near the Fort containing by Estimation one hundred and fifty acres or thereabouts be they more or less since in the tenure or occupation of Alexander D. Himesa butted and bounded upon the south by the river upon the North and North East by the Land and meadow or valley lately in the possession of Gerrit Vansweering upon the North West by the plantation commonly called the Landsary and upon the South and South West by the Land lately belonging to John Web-

ber now it being sufficiently known that the said Alexander D. Himesa then governor was in Hostility agt. his majesty for which reason all his Estate stands confiscated Know yee that by virtue of the Commission and authority unto me given and in consideration of the good services performed by Capt John Carr in Storming and reducing the Fort at Delaware have thought fitt to give and grant and by these presents do give ratify confirm and grant unto Capt John Carr the afore cited peice or parcell of meadow valley or marsh ground with all and singular the appurtenances To have and to hold the said piece or parcell of meadow valley or marsh ground unto the said Capt John Carr his heirs and assigns for ever yielding and paying therefore yearly and every year unto his maj<sup>ties</sup> use one Bushel and a half of Wheat as a quit rent when it shall be demanded by such person or persons in authority as his majesty shall please to establish and empower in Delaware River in the parts and plantations adjacent Given under my hand and seale at Fort James in New York on the Island Manhatans the 1st of January in the 19th year of his majesty's Reign Annoq Domini 1667

*A Confirmation Granted unto Thomas Wollaston James Crawford Herman Otto and Gerrard Otto for a Certain Island in Delaware River*

RICHARD NICOLLS Esq

Whereas there is a certain Island situate lying and being in Christeen Kill or creek in Delaware river commonly called or known by the name of Swarton Natton Island containing by estimation Three hundred acres or thereabouts be it more or less which said Island is now in the tenure or occupation of Thomas Wollaston James Crawford Herman Otto and Gerrard Otto or their assigns being bounded on the north with Christeen Kill on the East with serjeant Erskins Land on the West by a little Creek and on the south by the main Land now the said Island having been heretofore granted by Alexander De Himesa the Late Governour there to some persons who have since appeared in Hostility whereby it is forfeited and remained in his majestys Disposall Know Yee that by virtue of the commission and authority unto me given I have thought fitt to give and grant and by these presents doe give ratifye confirme and grant unto the said Thomas Wollaston James Crawford Herman Otto and Gerrard Otto their heirs and assigns to be so divided between them as now it stands and is possessed by them the aforesaid Island Together with all the lands Wood Meadow ground and premises thereupon with all and singular their appurtenances To have and to hold the said Island together with all the Land Wood Meadow ground and premises thereupon with all singular their appurtenances unto the said Thomas Woolaston James Crawford Herman Otto and Gerrard Otto their heirs and assigns to ye only proper use & behoof of ye said Tho. Wollaston, Jas. Crawford, Herman Otto & Gerard Otto, their heirs & assigns for ever Yeilding & paying therefore yearly & every year unto his maj<sup>ties</sup> use three Bushells of Wheat as a Quit Rent when it shall be demanded by such person or persons In authority as his maj<sup>tee</sup> shall please to establish and empower in Delaware river and the parts and plantations adjacent Given under my hand & seale at Fort James in New York on the island Manhatans the 1st day of January in the 19th year of his maj<sup>ties</sup> Reign Annoq Domini 1667

*A Confirmation granted unto Hans Bones for a certain parcell of Land in Christeen Kill in Delaware*

RICHARD NICOLLS Esq &c

Whereas there is a certain piece or parcell of Land lying and being in Christeen Kill in Delaware River heretofore in the tenure or occupation of Joost Rugger the miller Deceased which said piece or parcell of Land was by the officers at Delaware who were empowered by my commission to Dispose of implanted land there for the best advantage of the inhabitants granted unto Hans Bones the said graunt bearing date the 21st day of

February 1666 Now for a confirmation unto him the said Hans Bones In his possession and enjoyn<sup>th</sup> of the premises Know Yee that by virtue of the Commission and authority unto me given I have thought fit to give and grant & by these presents do give ratifye confirm and graunt unto the said Hans Bones his heirs and assigns the afore recited parcell of Land To have and to hold the said land unto the said Hans Bones his heirs and assigns unto the proper use and behoof of the said Hans Bones his heirs and assigns forever Yeilding and paying yearly and every year unto his maj<sup>ties</sup> use two Bushells of Wheat as a Quit Rent when it shall be demanded By such person or persons in authority as his maj<sup>ties</sup> shall think fit to empower in Delaware river and the part and plantations adjacent Given under my hand and Seale at Fort James in New York on the Island of Manhatans the 1st day of August in the 20th year of his majesties Reign Annoq Domini 1668.

#### INDIAN MINUTES—From the A. P. S. MSS.

*At a Conference with the Delaware Indians, on Thursday the 4th of October, 1759.*

Present

The Honble WILLIAM DENNY, Esq. Lt. Governor.  
Robert Strettell, Benjamin Shoemaker, } Esqrs.  
William Logan, Richard Peters, }  
TEEDYUSCUNG, a Chief, } Delaware Indians.  
Abraham Lacquis, }  
Thomas Evans. }

Isaac Stille, Interpreter.

The Governor gave Teedyuscung an hearty welcome, and acquainted him that he had called his Council, on being informed that he desired to speak with him; and was ready to hear him.

Teedyuscung thanked the Governor and made the following speech.

"Brother,—I would have you listen to me a little while I have something to tell you. If I happen to speak a word amiss, or any thing contrary to our friendship, you must put it by. I am but a little man. You are a much stronger man. If I make any mistake, do not take notice of it, as if I meant any thing contrary to our friendship; for I assure I mean no such thing.

"Brother,

"Almost all the Indians are looking at us. They all see us both sitting together, and consider us as the first who began to make a Peace, are glad of it and desirous we should finish it entirely. I have no more to add on this article than this. Seeing we are look'd upon in this Light, far and near, by my Conntymen, Let us strive together and we will finish the good work. You are an able man. I am a weak man, but tho' I am weak I will promote the peace to the utmost of my Power.

"Gave a string of 4 Rows.

"Brother,

"When first I came down to you on this good Errand, there were some foolish Boys that gave you wounds that went deep into your Flesh. Our Creator provided some Roots out of the Ground to heal these wounds. These I collected and made a Plaister of them. I did not apply it only to the outside of your Flesh, but your heart where you felt the greatest pain. It is customary for all Doctors when they put Plasters to wounds to come again, and see if they be healed or not. Now all the Indians think that your wounds are perfectly cured. Even the women & children, & grandchildren, know it, and say so. I speak on behalf of Five Nations, who are all of this opinion, and think you are quite well.

"Gave a Belt of 7 Rows.

"Brother,

"In what we have done I think we have acted with so much Sincerity towards each other, that the Peace will be everlasting. I am a King. You are a King. Your people, or my people, might otherwise say that we had made a false Peace; but now that they have been Witnesses of our mutual sincerity, they must,

and will acknowledge that we are a good People, and that we have made a good Peace.

"Brother,

"I have no more to say. This is all the News I bring you. I hear from the outside of the Country all that is doing in the back parts, and I always let you know what I hear, be it great or small. You know that we agreed to hear one another. My ears was to be open to what was doing on the outside of the country, and your ear was to hearken to what was doing in your parts. And I assure you that all the Indians, little and big, are well pleased with the Peace.

"Brother,

"I know you feel sorrow, and I know what gives it you. You have not seen your prisoners, do not be out of patience. I am about collecting them, and I will bring them to you this fall, as soon as ever I can. I have done."

Teedyuscung being asked by the Governor what number of prisoners are with them, and in what places; he answered, "That there are not above 5 prisoners among the Delawares, on the Susquehannah River. The Muuncies have a great number, but they join the Mohocks, and will deliver em together to be counted among the Delawares. The Mohocks have a great many prisoners among them. The English hold frequent Conferences with the Mohocks, but I never know what passes between the English and the Mohocks."

#### AN HISTORICAL ACCOUNT OF THE FIRST SETTLEMENT OF THE SWEDES IN AMERICA.

(From the *Columbian Magazine*, of 1788.)

In the reign of Gustavus Adolphus, and in the year 1626, an eminent merchant named William Useling, gave a great character of this country, applauding it for fruitful fertile land, abounding with all necessaries of life; and used many arguments to persuade the Swedes to settle a colony here. These were so prevalent, that Gustavus issued a proclamation at Stockholm, exhorting his subjects to contribute to a company associated to the purpose aforesaid, which was called the West India Company, confirmed by that prince: In a general assembly the year following, sums of money were raised to carry on the intended settlement, to which the king, the lords of the council, the chief of his barons, knights, coronets, principal officers in his militia, bishops, clergy, and divers of the common people of Swedeland, Finnland and Liffland, contributed; and responsible persons were chosen to see what was proposed put in execution, consisting of an admiral, a vice-admiral, merchants, factors, commissaries, &c. and it was concluded to get as many as they thought fit, of those who would voluntarily ship themselves to America, to settle and cultivate a colony.

In 1627, the Swedes and Finns accordingly came over hither: Their first landing was at Cape Inlopen; the sight created pleasure, and they named it Paradise Point. Some time after they purchased of some Indians (but whether of such as had the proper right to convey is not said) the land from Cape Inlopen to the Falls of Delaware on both sides the river, which they called New-Swedeland Stream; and made presents to the Indian chiefs, to obtain peaceable possession of the land so purchased. But the Dutch continuing their pretensions, in 1630 one David Pietersz de Vries, their countryman, built a fort within the capes of Delaware, on the west, about two leagues from Cape Cornelius, at the place now Lewis-Town, then and at present often called by the name of Hoarkill.

In 1631, the Swedes also built a fort on the west of Delaware, to which they gave the name the ruins of it yet bears, Christeen. Here a small town was laid out by Peter Lindstrom, their engineer, and here they first settled; but this settlement was afterwards demolished by the Dutch.

On an island called Tenecum, sixteen miles above this town, the Swedes erected another fort, which they named New Gottenburgh; and John Printz, their governor, built a fine house, and other suitable accommodations; planted an orchard, and called his settlement Printz's Hall. The principal freemen had also their plantations on this island.

About this time the Swedes also built forts at Chester, and other places. In the same year Chancellor Oxstiern, ambassador from Sweden, made application to king Charles the first, to have the right the English claimed by their being the first discoverers yielded up: it was, (as they say the proof an uncertainty) given up accordingly. They also said they had purchased the pretence the Dutch claimed by virtue of the prior settlement, and buildings here: most of which were destroyed before their arrival.

If this be true, the Dutch it seems did not think proper long to abide by their contract; but gave the Swedes disturbances, by encroaching on their new settlement; and both of them joined to dispossess the English, who also attempted to settle the eastern side of Delaware: one Kieft, a director under the states of Holland, assisted by the Swedes, drove the English away, and hired the Swedes to keep them out. The Dutch complained, that the Swedish governor judging this a fair opportunity, built fort Elsinburgh on the place from whence the English had been driven, and from thence used great freedom with their vessels, and all others bound up the river, making them strike to the fort; from which they also sent men on board to know whence the vessels came: This the Dutch deemed exercising an authority in a country not their own. But the musketoes were so numerous, the Swedes were unable to live here, and therefore removing, named the place Musketoeburgh.

The Dutch seem to have had a very great opinion of the land near the Delaware, and were under great apprehensions of being dispossessed by the English, who they complained had divers times attempted to settle about that river, and judged if they once got footing, they would secure every part, so that neither Hollander nor Swede would have any thing to say here; in particular they mention Sir Edward Ploeyden, as claiming property in the country, under a grant from king James the first, who they alledge declined any dispute with them, but threatened to give the Swedes a visit, in order to dispossess them.

John Printz continued governor of the Swedes from his arrival until about the year 1654, when he returned to Sweden, having first deputed his son-in-law, John Papegoia, governor in his stead, who also some time after returned to his native country, and left the government to John Rysing. He renewed the league of friendship with the English and Dutch in the neighborhood, and formally with the Indians; for this purpose a meeting was held with the sachems or Indian chiefs, at Printz's Hall, on Tenecum island, where a speech was made to them in behalf of the queen of Sweden, expressing the desires the Swedes had to renew their friendship. The Indians had before made complaint, that the Swedes had introduced much evil amongst them; because many of the Indians since their coming were dead; but the Swedes now making them considerable presents, these received and divided amongst them, one of their chiefs, whose name was Noaman, made a speech rebuking the rest for having spoken evil of the Swedes and done them harm; telling them they should do so no more, that the Swedes were a good people, and thanking them for the presents, promised for the future, that a more strict friendship should be observed betwixt them. That as formerly they had been but one body and one heart, they should be henceforward, as one head, as a token of which he waved both his hands as if tying a strong knot, promising also that if they heard of any mischief plotting against the Swedes, although it were midnight, they would give

them notice, & desired the like notice from the Swedes, if they understood harm was intended them; the Swedes then desiring the Indians in general would give them some signal that they all assented to what was said; they gave a general shout of approbation, and in the conclusion were entertained by the Swedes with victuals and drink: It was observed the Indians kept this league faithfully. The Swedish ships sent to succour this new colony, being obstructed in their intended voyage, by the Spaniards; and the Swedes unable for the want of money to keep their forts in repair; gave their more powerful neighbours the Dutch, opportunity with less danger to make encroachments upon them. Accordingly, in this year, the Dutch who inhabited near Virginia & New Sweden, gave the Swedes disturbance, seeking to regain the forts they had formerly possessed. But this by means of the Swede governor, with Peter Stuyvesant, who commanded under the Dutch, at New Amsterdam, was in appearance settled; yet in the year following, the Dutch fitted out seven vessels from New Amsterdam, with 6 or 700 men; who in the summer, under the command of Stuyvesant, came up Delaware, and took their first quarters at Elsinburgh, where they made some Swedes prisoners. Next they sailed towards a fort called Holy Trinity; having landed their men at a point near the place, and intrenched themselves, they soon after went up to the fort, and demanded a surrender, threatening what they would do in case of refusal. After which, by treaty or otherwise, they gained possession, took down the Swedes flag, and hoisted their own, securing all places with their soldiers, and sending the Swedes they had taken prisoners, on board their vessels. An acquisition deemed considerable, because this fort was looked upon as the key of New Sweden.

On the second of September, they besieged Christiana fort and town; and destroyed New Gottenburgh, with such houses as were without the fort; plundering the inhabitants of what they had, and killing their cattle; the Swedes endeavoured to persuade the Dutch to desist from these acts of hostility, but to no purpose. After 14 days siege, they (in want of ammunition) were obliged to surrender upon terms: That all the great guns should be restored; to which purpose an inventory was taken; the Swedes had also the gratification to march out of the fort, with their arms, their colours flying, and drums beating. The officers and other principal inhabitants among the Swedes, were carried prisoners to New-Amsterdam, and thence to Holland; but the common people submitting to the Dutch remained in the country.

The following essays have lately appeared in "Poulson's American Daily Advertiser," and being written by a practical man upon a subject which is at this time exciting considerable attention in the U. States, and especially in this state—we think deserve consideration. The experiments having been made in this state, and so favorable an opinion being expressed of the quality of the article produced here, we think give to the subject more than common interest. In the present discouraging aspect of the usual agricultural products, it is important that attention should be turned to others which promise more advantageous results—and silk is one of those which we think must assume an interesting rank among the domestic articles of our country.

#### AMERICAN SILK.

##### No. I.

The subscriber having received a part of his early education in an extensive manufactory of Silks, at Nîmes, in France, and by that means having become familiar with all the processes of that kind of manufacture, from the raising of the silk worm, and reeling off the silk from the cocoons, to the fabrication of the most delicate

stuffs, has thought that it would not be unacceptable to the American public to lay before them the results of some experiments that he has made upon the produce of the American Silk Worm, in the short space of less than two months that he has been in this country.—These results are truly surprising, as they show a superiority in the silk produced by the American worm, (at least in Pennsylvania,) over that of any other country that he has ever seen, which he was far from expecting, when he began his experiments, and which, he believes, no one had yet suspected or imagined. They promise an immense source of riches to the U. States.

Those experiments were made at the farm or place of Messrs. Ter Hoeven, a Dutch family, who have a small, but thriving nursery of silk worms in the vicinity of Philadelphia.

The first thing that struck the subscriber in the operations he made, was the extreme, and he may say, the dazzling whiteness of the silk obtained from the American worm. It is well known, that the raw silks of Italy and France, are in general of a yellowish colour; a comparatively small quantity of white silk is produced, and that is in very great demand, in consequence of its capacity to receive the most delicate dyes. Here, on the contrary, the white cocoons appear to be very numerous, and their silk is beautiful. This will make the American raw silk sought for in preference to any other. This, however, is not the only advantage which American Silk possesses over that of other countries: the following experiments will show what a mine of riches is opened to the industry of this country.

#### EXPERIMENT I.

*Weight of the cocoons.*—One cocoon, without chrysalis, was found to weigh six grains, avoirdupois. Three cocoons, also without chrysalis, weighed together, eighteen grains. The cocoons were not selected, and were taken at hazard. This weight is superior by near one half, to that of the cocoons of Europe, and this experiment shows that the American cocoons are nearly equal in weight; whereas in Europe, there is a pretty considerable inequality between them.

#### EXPERIMENT II.

*Produce of the cocoons.*—Eight ounces of cocoons with their chrysalides, not selected or picked, produced two ounces of raw silk of the first quality. It would require more than one pound of European cocoons to produce the same result.

#### EXPERIMENT III.

*Proof of Experiment I.*—Seventy-five cocoons, without chrysalis, weighed together 450 grains; which gives exactly six grains for each cocoon. These, however, were in some degree selected, though not with any great care. These 75 cocoons produced 419 grains of raw silk, superior to those of France and Italy. This may appear extraordinary, but it may be attested by several persons of respectability who were present.

#### EXPERIMENT IV.

*Produce of bad Cocoons.*—Thirteen bad cocoons with their chrysalides,—(by bad cocoons is meant those of which the worms have suffered from want of care or proper feeding,)—have produced 47 grains of superb silk.

The subscriber will content himself at this time with laying the foregoing experiments before the public.—He may, perhaps, at a future day, present them with some of the results of his experience in this branch of business, which he thinks may not be useless if it should be thought advisable to introduce it effectually in this country.

#### No. II.

The liberal manner in which my former observations have been received, and the interest which they appear to have excited among the enlightened friends of the prosperity of this country, have encouraged me to proceed in laying before the public further views, which, I flatter myself, will not be found without some degree of utility.

I am a foreigner and a stranger in this country, and my residence in it has been but short; I shall, nevertheless, have to speak of what has been hitherto done by the citizens of America to introduce the Silk Worm, and even, to some extent, the manufacture of Silk, into the United States. In so doing, I shall speak with the caution and modesty which becomes me, from the lights (no doubt very imperfect) which I have been able to obtain; and if I shall commit unavoidable errors, I hope they will be forgiven, in consideration of the motives by which I am induced to communicate the results of my practical knowledge, for I pretend to no more.

Since my last communication, I have made an additional experiment, at the same place as the former was, in the presence of a gentleman, who has permitted me to mention his name—Mr. Duponceau, of this city, and his family. The result has confirmed the former ones. I put seventeen bad cocoons into the tub, in order to wind off the silk from them. Five of those cocoons immediately filled with water and were useless. The remaining twelve produced fifty grains of beautiful silk, which I have left in the possession of the gentleman above mentioned.

From the best information which I have been able to obtain, I believe that the same quantity of silk has never yet been drawn from the American cocoons, any more than silk of the same fine quality, and that for reasons which I shall have occasion to mention. Nor is this to be wondered at. American genius and industry (to which the world is already indebted for so many useful inventions and discoveries,) have been exerted to the utmost; but *practical knowledge* was wanting, and what has cost Europe the experience of ages to acquire, no genius or talent could supply in the short space of time that has elapsed since this happy country has had the control over her destinies.

The knowledge that I am speaking of, it is out of the power of books to communicate. Practice, long practice, is indispensably required. The mode of raising the silk worm, indeed, may perhaps be acquired by theory, aided by diligent observation. But beyond that all is art,—complicated, difficult, and requiring experience and practice. The knowledge of it, in its extent, is in Europe confined to a few whose business it is to direct the works. Those who execute the details, in their various branches, can only instruct in the parts which the minute subdivision of labour has assigned to them.

It will not be, therefore, the art of extracting silk from the cocoons in its various qualities, or that of manufacturing that silk into threads or stuffs, that I shall undertake to teach in these successive communications.—That would be attempting what is admitted to be impossible. But I think I can present views respecting the use to made of the immense riches that Heaven has bestowed upon this country, which I hope will not be uninteresting, and I can flatter myself that they will be found conducive to the national prosperity.

What astonished me most, when admiring the beauty of the silk produced by the American cocoons, and its great superiority, both in quantity and quality, over those of Europe, was that these results should have been obtained in a country which more perhaps, than any other, is liable to those sudden changes of temperature which theoretical writers, as well as practical men, agree to be of all things the most injurious to the health of the silk worm. This I can ascribe to nothing else than to the particular, and, I must add, the skilful care of the American farmers to prevent the worms from feeling the effect of those changes. This requires more care, attention, and sagacity than might be believed by those who are not acquainted with the constitution of that delicate insect. I doubt much whether it will be credited at first in Europe, when the fact shall be made known there. All I can say is, that it has excited the astonishment of gentlemen from France, well

acquainted with the silk business, who would not have believed it if they had not been present at my experiments.

I do not mean to write much nor long. What I have to say I shall endeavour to condense as much as possible. In addressing an intelligent nation, all useless details, and still more useless reflections, should be avoided.

From what I have said of my not having been two months in this country, it may be asked, perhaps, how I came to write in the English language, with which I confess I am unacquainted. I shall only say in answer to this question, that the language of these communications is not my own, and that a gentleman of this city, to whom I communicated my ideas from time to time, has the kindness to clothe them in his own words, which he afterwards translated to me, as literally as possible, and to which, when possessed of the full meaning of every sentence, I affix my signature.

No. III.

It is the privilege of every writer to endeavour, by preliminary observations, to convince his reader of the importance of his subject. In the present case, there is perhaps less need of this than in any other that may be submitted to the American public. The immense riches which some nations of Europe, particularly France and England, have derived and are deriving from the silk trade, are within the knowledge of all who have attended to the general affairs of the world. Nevertheless, as I have been informed that it was not without considerable pains that the inhabitants of the United States were convinced, some 30 years ago, of the importance of the article of cotton, to which they owe in a great degree their unexampled prosperity, I shall not forego the good old custom, and shall show by some examples, what exertions have been made and what expense incurred by other nations to introduce the silk into their respective countries.

It is well known that for several centuries Greece at first, and afterwards Italy, were the only countries that produced the article of silk and silk stuffs. France followed by slow degrees. Henry IV. was the first of their sovereigns who encouraged that branch of industry with a liberality worthy of that great monarch. He invited one *Michaeli* from Italy into his dominions, and gave him, for the purpose of forming an extensive plantation of mulberry trees and raising the article of silk, the Castle of the old Marquis de Fournes, situated on the river Gardon, in the vicinity of Nimes, and the place which has passed into other hands, still bears the name of *Michaeli's Castle*. This ingenious foreigner was the first who began the manufactories of silk stuffs that now enrich that city; and tradition informs us, that the king expended on those establishments the immense sum of near one million & a half of French livres, which are equal to about three hundred thousand dollars, an enormous sum in those days. Of the manner in which the great silk manufactories of Lyons were first established, I am not so well informed.

The silk manufactories of Great Britain began at a later period. They have been of slow growth, and were more promoted by individual exertions than by the aid of the government. Encouragements, indeed, by bounties, high duties, prohibitions, and the like, were freely given; but the rest was abandoned to the spirit of enterprise for which that nation is so conspicuous, which at last produced the brilliant success that we now witness.

In latter times, and since the termination of the wars which grew out of the French revolution, the sovereigns of Europe, even of those countries whose climate would rather seem to forbid such undertakings, have turned their thoughts to that branch of trade from which their neighbours have derived so much riches.—The King of Prussia has made considerable sacrifices to introduce into his state the culture of the mulberry tree, and the manufacture of silk stuffs. He has at a great expense procured skilful Italians to migrate into

his dominions; he has patronized and encouraged them; and I am informed that by means of these exertions, that branch of business in the Prussian provinces already begins to excite the jealousy of other nations.

The King of the Netherlands, for the same purpose invited from Spain the Chevalier *Barramendy*, and assigned to him the Castle of *Manoge*, in the vicinity of the town of *Alth*, at the distance of ten leagues from Brussels, with a number of acres of ground belonging to it, which he has planted with the white mulberry tree. The King supplied him with considerable sums of money, as well from his private purse as from the public treasury. The silk which was made from the cocoons produced upon this establishment, proved, however, as I have been assured, of a very inferior quality. Nevertheless, the Minister of the Interior *Van Grobescroy*, and the Inspector of the National Manufactories, Mr. *Netscher*, continued to encourage this undertaking. The Prince of Orange himself, the presumptive heir of the crown, went in person to Manoge to inspect the establishment, and give it the sanction of his patronage.

In the new Republics of America the same spirit appears to prevail. Messrs. *Chubaut* and *Lalour*, of Nimes, my native town, were called to Mexico some years ago to introduce the culture of silk. What success they had I do not know. They died in that country, and it is generally understood at Nimes, that they both died rich.

But I have to relate a more striking fact, of which, by a circumstance which could hardly have been expected the proof is here at hand. I have said that in Great Britain the high degree of prosperity to which the manufacture of silks has risen, had been obtained chiefly by individual exertion. Here is a remarkable instance of it. In or about the year 1823, a Mr. *Despoulies*, a silk manufacturer of Lyons, went over to England, at the instance of individuals, for the purpose of introducing there some particular branches of his art. At the end of the twelvemonth he returned home, with the sum of *thirty thousand pounds sterling*. He was prosecuted by the government, for having introduced into a foreign country the art and industry of his own. The trial took place at Boulogne sur Mer. but, by the skill of his advocate, the defendant and some of his companions who were joined with him in the accusation, were fortunately acquitted. One of these gentlemen who was a defendant in the suit with Mr. *Despoulies*, is now respectably established in this city, and by him I have been informed of the facts which I have stated.

The importance of the silk business was felt in Pennsylvania even before it became an independent state.—In the year 1770, the American Philosophical Society took up the subject, and petitioned the Legislature to provide, during five years, the annual sum of £500 for the encouragement of the filature of silk from American cocoons. This, however, was not carried into effect. By the exertions of individuals, the sum of about £900 (\$2400) was raised by private subscription, and a filature was established at Philadelphia; but the undertaking was shortly afterwards abandoned, most probably for want of persons skilled in the art and able to extract such silk from the cocoons, as had been produced, would infallibly have been greedily purchased by the British manufacturers, and its further production immediately and effectually encouraged by the government of Great Britain.

No. IV.

I now proceed to the main subject which I have undertaken to elucidate. I shall endeavor so to arrange the explanations that I shall give, that each number may facilitate the intelligence of those that are to follow. This is indispensable, when speaking of an art complicated in its nature and in its details, and the language and phraseology of which are only understood by those who are skilled in it.

The art of the silk manufacturer, taken in its most

general point of view, consists of three principal branches.

I. The first is the art of extracting from the cocoons, by the process of reeling, or filature, as it is called, the greatest possible quantity of silk of the different qualities used in the manufacture of silken stuffs, and so to extract it that it may, after undergoing other processes hereinafter to be mentioned, be safely and advantageously employed in those manufactures. The article thus produced, and wound into skeins, is called *raw silk*. It is the raw material of which silk stuffs are made, from the velvet down to the levantine.

There are three qualities of raw silk, graduated according to their different degrees of fineness. While in that shape and until they have undergone the operations that are to fit them for the loom, they are called first, second, and third, beginning with the finest.—They assume other names as soon as they have been prepared and made fit to be used by the manufacturer. Then they have ceased to be *raw silk*, and they are called *singles*, *organzine* and *tram silk*, according to their different degrees of fineness and the manner in which they have been passed through a certain machine called a *mill*.

*Singles*, called in French *le poil*, that is to say, *hair silk*, are made of the first quality of raw silk, consequently the finest, as the name sufficiently implies.—They are made of a single thread. This silk is used for the *woof* of the lighter stuffs, the *warp* of which is made of cotton thread.

*Organzine*, in French *organain*, is the next in fineness. It is employed in weaving to make the *warp* of those stuffs that are made entirely of silk.

*Tram-silk*, called in French *la trame*, or *soi de trame*, which means *woof silk*, is the thickest of the three, and is the thread of which is made the *woof* of silk stuffs. It seems the English have preferred retaining the French name to translating it.

Of the three qualities of raw silk, of which those different threads are made, the second, that which makes *organzine*, is the most in demand in foreign markets.—The silk which I have extracted from American cocoons, as mentioned in former numbers, is of that quality. In performing those operations, I have for the first time discovered the superior fineness of the American silk, by finding, to my great astonishment, that it required a much greater quantity of threads to produce the different qualities of raw silk above mentioned, than with the cocoons of Europe. *Singles*, or hair silk, made of the same number of threads as in Italy or France, would be almost impalpable, and entirely unfit for use. This superiority will give to the American raw silk a great advantage over all others.

Raw silk is an article of commerce of great value to the countries that produce it. Great Britain imports it for the use of her manufactures from Bengal, China, Turkey and Italy, to the amount of one million eight hundred thousand pounds sterling annually. France imports it to the amount of 30,000,000 of francs, although she makes it herself in very large quantities, estimated at three times that amount, and more. A Mr. *Enoch Durant*, a silk broker in London, on his examination before a committee of the House of Commons, in 1821, ventured to say that no *organzine silk* is made in France. Whether by that expression he meant the raw material from which *organzine* is made, that is to say, raw silk of the second quality, or that that silk was not prepared there for the loom in the form called *organzine*, he was equally mistaken. The mulberry tree and the silk worm are extensively cultivated in France, and with great success, and the raw silk is manufactured there in all its possible shapes. I could not help noticing such a strange assertion thus made in the face of a British Parliament, and of an enlightened world.

Be that as it may, if France does not make the kind of silk which Mr. Durant calls *organzine*, she will have the more to purchase from this country. The beauty

of the silk which I have extracted from American cocoons, has already attracted the notice and excited the admiration of some of the most eminent French silk merchants who reside here and in New York; and they have applied to me for samples which they have transmitted to their correspondents at Lyons and Nimes, who, no doubt, will be equally astonished at the singular beauty of this American production.

II. The next branch of the silk manufacturing business, is the preparation of the raw silk for the weaver's loom. This is done by a number of distinct and successive operations, performed by different machines, the principal of which, the *mill*, has never, as I am informed, been introduced into this country, and yet cannot be dispensed with. The silk, when thus prepared, is said in French to be *moulinee*, or milled; in English, I believe, it is called *organized* or *thrown silk*—but this I leave to those who are better acquainted than I am with English technology. These operations are nice, difficult and complicated; their methods vary according to the kind of silk that is to be produced, whether singles, *organzine* or tram silk. Their success depends much on the manner in which the raw silk has been prepared before it is brought to the mill. After going through these various processes, the silk is wound into short skeins, for the greater facility of the weaver, and, after being dyed, is fit to be immediately employed in the manufacture of silk stuffs. I shall not undertake here to describe those processes, as it is entirely foreign to my object; and no descriptions that I can make could supply the place of skill, experience and practice.

III. The last branch is the weaving and manufacture of silk stuffs in all their varieties. It is sufficient for my purpose to indicate it.

Having thus shown, as briefly as I have been able, the use that is made of the fine silk extracted from the cocoons, I shall proceed in my next number to speak of those articles that are manufactured from what is called the *floss*, and from waste and refuse silk.

J. D'HOMERGUE.

Philadelphia, 23d July, 1829.

## PENNSYLVANIA CANAL.

HARRISBURG, July 27.

The Canal Commissioners met in this town on Thursday last, and adjourned on Saturday. They ordered as follows:

That the acting commissioner upon the Eastern Division of the Pennsylvania canal be directed to employ such force and apply such funds as may be necessary to insure the completion and opening of the canal for navigation from the mouth of the Juniata to Middletown, on or before the first day of September next, and particularly that he be directed to repair the dam at Duncan's Island, by laying on stone so as to insure a sufficient supply of water by the above time.

That the acting commissioner on the Western Division be directed to adopt such measures, to employ such force, and apply such funds as will insure the opening of the canal navigation from Blairsville to Pittsburg, by the first day of September next.

That the superintendent on the Susquehanna Division be directed to place the canal from Northumberland to the dam at Duncan's Island in a situation to receive water for its navigation by the first day of September next, and that he be specially directed to see that a force be employed upon the Shamokin dam, sufficient to insure its completion, at or before the time specified in the contract.

That the acting commissioner upon the North Branch Division be directed particularly to urge the prosecution of the Nanticoke Dam, so as to insure its completion and perfect security against the next fall and spring floods.

That the superintendent on the Delaware division be directed to prosecute the work on the Dam across the Lehigh so as to insure its completion this fall.

That the acting canal commissioner on the Juniata



Division, be directed to employ such force, and apply such funds, as will insure the opening the canal from Lewistown to the junction with the Susquehanna division of the Pennsylvania canal by the first of November next, and if necessary, to employ a superintendent, specially to take charge of the aqueduct across the Juniata, and the work thence to the said junction.

**FIRST BOATS.**—We have delayed the publication of our paper this morning to a later hour than usual to announce (and we do it with much satisfaction) the arrival of the first Packet Boats, the *Pioneer* and *Pennsylvania*, at the port of Blairsville last evening. They are owned by Mr. David Leech, whose enterprise and perseverance entitles him to much credit. A large party of citizens and strangers met the boats a few miles below this town, and were received on board with that politeness and attention for which Mr. L. is proverbial. The *Pioneer* passed the first lift lock below this place in the short space of *three minutes!* The boats are handsomely fitted up and well calculated to give comfort to passengers. They were welcomed at our wharves by the presence of many of our citizens of both sexes. They depart at 9 o'clock this morning for Pittsburg.

*Blairsville Record.*

#### POTTSVILLE, July 25.

Twenty buildings have been completed in this borough already, and we have been informed that fifty more have been contracted for, all of which are to be finished before winter sets in. Fifteen will be built of brick—the remainder of stone and frame. We speak within bounds, when we state that at least one hundred dwelling houses would be built this season, were it possible to obtain the materials and workmen on reasonable terms.

At Port Carbon about fifty lots have been disposed of, which, according to the conditions of sale, are to be improved in the course of a year. Such is the march of improvement here, and still we have not more than one half the buildings we ought to have, to accommodate our present business.

Our fellow citizen, Mr. Moore, is attaching an addition of twenty-five feet to his storehouse at Mount Carbon, which was found too small to accommodate his share of the transportation business.

A potatoe stalk was cut last week at Port Carbon, which measured seven feet eight inches in height. It was in full health, and of a proportionate thickness. This is something extraordinary for our mountainous district; and we challenge the state to produce one of equal length.

During the past week a canal boat, while laying at Port Carbon during the cessation of the navigation, was changed into a boarding house. The boatmen unwilling to lose time, worked on the rail road, and kept boarders, without being troubled with ground rent.

#### EASTON, July 24.

Our borough presents a livelier appearance this season than ever it did. Day after day, stages and carriages, gigs and buggys, drive up to our hotels.—The Lehigh Canal is now in the full tide of successful experiment, and the Company are sending down coal as fast as practicable. Two packet boats run regularly on this canal to Bethlehem, Allentown and Mauch Chunk, thus furnishing travellers with an inducement to visit us, and take the pleasantest route to the above places.

The High Constables report, that 734 dogs have been killed and buried between the 16th day of May and 17th day of July, 1829, agreeably to an ordinance passed the 29th day of May, 1828.

The Union Line arrived Tuesday, 21st, at 10 minutes

before 3 o'clock—the shortest passage ever made between the two cities, (N. York and Phil.) by stages and steam boats, within our recollection. *Phil. pap.*

**Despatch.**—A gentleman who took passage in the Union evening line at 5 P.M. arrived in Philadelphia in time for the morning boat for New York and reached that place at 5 P. M. making only 24 hours from Baltimore to New York city.

President Jackson has ordered from Messrs. Bakewell, Page and Bakewell's, of the city of Pittsburgh, a set of Glass for his own use. That order is nearly completed. We had last week an opportunity of witnessing this very splendid exhibition of American skill and ingenuity. It consists of large and splendid bowls, with and without stands—celery glasses, pitchers, quart and pint decanters, tumblers, wine and champagne glasses, salts, &c. &c. the whole tastefully executed in the very best style of workmanship. The glass is as pellucid as crystal; and the beautiful cuttings give a brilliancy of effect not easily described. We think this specimen of American workmanship will vie with the best productions of the French and English artists. It is very gratifying to witness the great perfection to which our artists have arrived in the various objects to which their skill and enterprise have been directed. We understand that the order is valued at about \$1500.—*Mercury.*

#### GREENSBURGH, Pa. July 17.

Died, on Sabbath night, the 5th, inst. at his residence in South Huntingdon township, *Andrew Finley, Esq.* after a lingering confinement, in the 79th, year of his age. The deceased was one of the pioneers of the west—one of the first settlers of Westmoreland county, and one of the remaining few who held a commission under Washington in the regular service during the Revolutionary war. As a man he was mild, judicious, and unassuming; as a parent, affectionate; as a citizen, respected; as a member of the Church of Christ, consistent; and as a justice of the peace, which office he held for many years, dignified and correct in the discharge of its duties.

We know of no place in this neighborhood, according to the number of houses heretofore in it, which has increased in number of buildings faster than the village of Williamsport, vulgarly ycleped 'Snuff-town,' across the mouth of the Lehigh from our borough. Within the last year there have been 8 new dwelling houses (such as they are) erected in it, and a hotel licenced, kept by our friend Mr. Thomas Downey, and receives a liberal patronage. We have heard some talk about their wishing to be incorporated into a borough.

We understand that the Lehigh Coal and Navigation Company have changed the name of "Hammilton," to "South Easton." It is situated at the locks south of our borough, and is a flourishing village. But from the advantage of situation and water power, it must ere long be a busy manufacturing town. The Company have not yet laid out the town plot, nor come to any determination in relation to the amount of water privileges which they mean to dispose of. *Easton Whig.*

The Easton Argus of Friday, says, that the farmers of that vicinity are busily engaged in getting in their grain, which has turned out remarkably well. The corn crop, too, promises to be unusually good. On Sunday, the borough was visited by a severe storm of rain and hail.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 6. PHILADELPHIA, AUGUST 8, 1829. NO. 84.

## FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

### EARLY SETTLEMENTS ON DELAWARE.

*A Commission to John Moll Peter Aldricks &c*  
SIR EDMOND ANDROSS, Knight &c

By virtue of the authority derived unto me I doe hereby in his majties name constitute appoint and authorise You Mr. John Moll Mr. Peter Aldricks Mr. Gerret Otto Mr. Johannes De Haes and Mr. William Semple To be Justices of the Peace in the jurisdiction of New Castle in Delaware and Dependences and any three or more of you to be a court of Judicature giving you and every of you full power to act in the said employment according to law and the trust reposed in you of which all persons are to take notice and give you that due respect and obedience belonging to your places in the Dischargeing your duties This Commission to be of force for the space of one whole year from the date hereof or till further order Given under my hand and seale of the province of New York this 28th day of May in the 32d year of his majtie Reign Annoq. Domini 1680

*A Commission of the same date to Mr. Otto Ernest Cock Mr. Israel Holme Mr. Henry Joanes Mr. Lansa Cock and Mr. George Brown to be justices of the peace in the jurisdiction of Upland court or County in Delaware River and Dependences.*

*A Commission of the former Date to Mr. Francis Whitwell Mr. John Hylliard Mr. Robert Hart and Mr. Edward Pack to be Justices of the peace in the Jurisdiction of the county of St. Jones in Delaware Bay and Dependences the same to begin from the south side of Duck creek so to extend to the North side of Cedar Creek.*

*A Commission of the former date to Mr. Luke Watson Mr. John Roades Mr. John Kippsharen Mr. Otto Woolgart and Mr. William Clark to be justices of the peace at the Whore Kills and Dependences the sd Court to begin at the south side of Cedar Creek so to goe downwards.*

*An order to Ephraim Harman to have the land formerly granted unto John Morgan and John Denny since Deceased.*

BY THE GOVERNOR

Whereas there were two patents heretofore granted unto John Morgan and John Denny for three hundred acres of land a piece lying on the West side of Delaware River towards the mouth thereof between the land of Morris Liston [Morris Liston's land lays by Bombay Hook,] and Duck creek the same never been improved and the person Dead to whom the said patents were granted upon application of Mr. Ephraim Harman that he may have the said two pieces of Land engaging to make present improvement thereon according to law I doe hereby grant the same to be confirmed unto him By Patent when the old patents shall be delivered in Given under my hand in New York this first day of June Annoq Domini 1680

*A speciall Warrant To Mr Ephraim Harman to be surveyor for New Castle in Delaware & precincts & St. Jones & Dependences*

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SIR EDMOND ANDROSS &c

Whereas Mr. Philip Pocock late surveyor at New Castle and precincts is lately deceased I doe hereby appoint and authorize you Mr Ephraim Harman to bee surveyor ffor the sd New Castle and precincts asalso for St. Jones and Dependences to survey and lay out land as a surveyor ought to doe in any place not duly taken up according to such warrants as you shall from time to time receive from myself or upon extraordinary occasion for the benefit of the place to fitt persons as shall apply for the same of which to make due returns to the Secretarys office at New Yerk according to law and for so doing this shall be your Warrant Given under my hand and seale at Elizabeth Town in New Jersey this 12th day of June Annoq Domini 1680

*An order to pay Cap. Cantwell the Balance of his account for the publick.*

BY THE GOVERNOR

Whereas by account of Capt Edward Cantwell Sheriffe of Delaware there remains due to him for disbursements upon the public accots. fifty nine pounds sixteen shillings seven pence half penny you are to take care and make paymt. unto the sd. Cantwell for the full of the said sume out of the ardrers due for Quit rents from himself and others in said river particularly for two parcells of land in Apoquimenen of Eight hundred and nine hundred acres formerly taken up and patented by him, the year one thousand six hundred seventy and six and take his receipt in full for the same Given under my hand in New York the fourth day of October 1680

To Mr. Ephraim Harman Col of the Quitt Rents att Delaware.

*A Warrant to lay out Lands at Delaware ffor John Richardson and John Stevens*

BY THE GOVERNOR

John Richardson having obtained at the court of assizes a Judgmt. for the land he hath seated and improved and having a considerable number of hands you are to lay out to him one thousand two hundred acres of land adj. to his improvmt. Enclusing the same on Direct lines according to regulation and likewise to lay out to John Stevens one thousand two hundred acres adjoining who hath a Pattennt for that quantity both if possible to have benefit of the water as well as land roads and make returns of your said surveys in order to confirmation according to Law

New York, October 11, 1680

E. A.

*A Letter to the Magistrates and Court at the Whorekills and St. Jones*

GENTLEMEN Having received ordrs. and goeing for England per next upon which sent and ordered a general court or meeting of the Justices to be here the 17th inst. Excusing yourselves by reason of the distance and season of the year [and opportunity and account by Mr Clarke] this is to acquaint you therewith and my designed leaving Capt Brockholes my Lieutenant [as last time] in command here without any other alteration also that Mr John Lewin a gentleman sent by his Royal Highness is arrived, authorized to inspect the revenue as per his commission of which I send you a copy to be observed accordingly, and not doubting your prudence and Diligent care in your stations in all publique mat-

ters for the continued welfare Quiet and safty of your parts which I earnestly recommend unto you and is the occasion of the aforesaid meeting remaining your affectionate friend

E. A.

*A Commission for Capt Anthony Brockholes*  
SIR EDMOND ANDROS Knight &c.

By virtue of the Commission and authority unto me given under his Royall Highness, I do hereby constitute and appoint you Capt Anthony Brockholes to be commander in chief of the militia In this city government and Dependence During my absence or till further orders and in any civill matter requiring the same with the councill to act, for the continued welfare of his majestys subjects a Commander or chief officer may and ought to doe according to law and practice and all persons are hereby required to conform themselves there unto accordingly Given under my hand and seale In New York the 6th day of January in the 32d yeare of his Majesties Reign Anneqr. Domini 1680

E. A.

*A Letter from Capt Brockholes to the Magistrates of St. Jones* See Register Vol. 3. p. 32.

*A Warrant from Capt Brockholes to Mr Ephraim Herman to receive the Quit Rents at Delaware.*

BY THE COMMANDER IN CHIEF

Whereas you have been formerly appointed Collector and receiver of the Quit rents Due in Delaware river and Dependences and severall sums being due and In arreare for the same as well in that part of the river now called Pensilvenia as the other parts thereof I do therefor appoint authorize and continue you to collect gather and receive the same till further orders Remitting it to me with an account thereof as often as opportunity and for so doing this shall be your warrant Given under my hand and seale in New York this 26th day of January 1681

A. B.

To Mr. Ephraim Haman Coll. and }  
receiver of the Quitt Reuts in }  
Delaware River.

*The Commander and Councells Declaration on Esq. Penns grant for New Castle St Jones and Whorekills.*

See Reg. Vol. 3. p. 33.

*Dutch Records—1630 to 1656.*

Wee Director and councill of New Netherlands Residing on the Island Manhatans and Fort Amsterdam under the government of their highland mightynesses the lords states general of the United Netherlands and the incorporated west india Company at the chamber of Amsterdam testifie and Declare by these presents that on the day of the date hereunder written before us in their own persons came and appeared Quesquakoffs Eesonques Sironchuson inhabitants of their town scituate on the south corner of the bay of the south river and declare voluntarily and premeditately and by the especiall direction of the rulers with the consent of the common people thereof that they had since the first day of the month of June in the year 1629 now last past for and by reason of certain parcell of merchandizes which they acknowledged before the passing of these presents to their good liking and satisfaction to have received in their power and hands and Delivered to them in a just true and free property to have transported released given over and assigned as they Doe by these presents transport release give over and assign for and to the behoof of the Honorable Mr. Samuel Godys now absent on whose word wee on due stipulation do accept thereof to witt the lands to them belonging situate night the south river on the south side of the aforesaid bay called by us the bay of the south river stretching in length from Cape Hinloop to the mouth of the said south river about Eight large miles and up into the country in the breadth a half a mile stretching to a certain low place or meadow by which said meadow these limits may be

evidently enough distinguished and that with all the action rights and Jurisdiction to them in their aforesaid quality belonging constituting and surrogating the before mentioned Honorable Mr. Godys in their stead estate Reall and actual possession of the same and also giving him full and irrevocable power and authority and espetiall direction Tanquam actor et procurator in Rem Suam ac proprium to the said Honourable Mr. Godys or whom hereafter might obtain his action to enter or hold possess dwell upon use and detain the aforesaid land also therewith and thereof to transact and dispose thereof as his Honour with his own will and by lawfull title acquired lands may do without that they the releasers thereunto any part right action or superiority any more in the last thereunto have reserve or keep bee it of property command or Jurisdiction But to the behoof aforesaid of all the same from henceforth and forever desisting releasing disclaiming and renouncing and by these presents further promising not only this their transport and what by virtue thereof may be done from henceforth and forever to hold follow and accomplish firm valid Infrangible and Irrevocable But also the same parcell of Lands to warrant and defend against every one free of all demands troubles and incumbrances to be made thereon by any body all on good faith without fraud or deceit In witness whereof wee have confirmed these presents with our usual signature and our seale hereunto appending done on the island Manhatans the 15th of July 1630.

*In A Book of Dutch Records Begunn the 8th April 1638*  
The instrument which follows has no date But what goes just before it is dated the 6th May 1638 and what follows is dated the 17th May 1638.

I William Keist Director General of New Netherlandt under the government of their high and mightynesses the lords states gen'all of the United Netherlands and the incorporated West India Company at the Chamber of Amsterdam make known to you Peter Minnuit as he causes himself to be called Commander in the service of his Royal majestie of Sweden That the whole south river of New Netherland has been many yeares in our possession and above and below settled by our fforts and also scalled with our Blood which has happened ever during your direction in New Netherland and well known to you now because you come between our forts and begins to build a fort there to our damage and prejudice which nevertheless will be never suffered by us and that we are all so well assured that her Royal majestie of Sweden has given you orders to build fortifications in our rivers or along our coast Wherefore wee in case you proceed in the building of fortifications or attempt any thing to our prejudice do by these presents protest for all charges dammages and interests as also of all misseries Bloodshedd troubles and Dammages which thereby in times to come may happen to the company and that wee will maintain our right in such a manner as wee shall find most suitable.

This Done.

*In a Dutch Book of Records Begunn the 19th Aug. 1655.*  
Instructions for the present time for Jan Paul Jaquet vice Director in the South River and the Commissioners Joyned with them

*the ninth article*

In the granting of lands you'l endeavour above all things to take care that there be made a Community of at least sixteen or twenty persons together or so many families and to the end the covetting of Lands may be prevented you'l cause for the present in lieu of the tenth to be paid for every morgan of land Twelve stivers once in the year

*the Eleventh article*

You shall not grant any houses or lots on the side of the meadow of the Fortress Casimer to witt between the creek and the said fortress nor behind the fortress but reserve that land for the fortifying and outworks of the

fortress as also for the more favouring the dwelling together on the south side of the fortress you shall as opportunity requires lay out a convenient street behind the houses already erected and lay out convenient lots in the same about forty or fifty foot broad and an hundred foot long and the street to be at least four or five Rood broad

*the twelfth article*

You are to take very good notice of the behaviour of the Sweeds there yet being and in case any of them should be found not well affected to the honourable company and the state of our native country for the preventing of further trouble you are to cause all such withall imaginable civility to depart from thence and if possible send them hitherward

These instructions are dated the 8th December 1655

*In the Same Book*

In the night between the twenty eighth and twenty-ninth days of march receive by the Ketch of Mr. Allerton a letter of our Commander in the South river Dated the twenty-fourth of March whereby understand the arrival of a small sweeds ship called the Mercurius in the said river having on board in all one hundred and thirty persons

After the reading of the said letter it is resolved to excuse the landing of the said sweeds there and to write unto them that they may return with the said small ship to Sweeden or if it pleases them to come hither with the said small that free pass and repass shall be granted unto them to return unmolested and to Depart after having furnished themselves with necessary provisions and necessaries this done at ffort Amsterdam in the night between the twenty-eight and Twenty ninth of March in the year 1656.

Present the Honourable Petrus Stuyvesant Director generall Mr. Nicasius De Sille Mr De La Montagne and the advocate generall Theinhuoven

*In the samme Book a writeing signed by Hendrick Huygens Commander of the above mentioned Sweeds*

I the undersigned Hendrick Huygens van Cleef sent out by the Southern Company of Sweeden in the ship the Mercurius as their Commissioner being ignorant before my arrival in the south river of New Netherlands of the alteration there happened since my departure Do promise by this my hand writing in the stead of an oath that upon the same guard of the generall and council in my traffick and residence as well here as in the south river I will demean and behave myself faithful and obedient and submit my self to such orders and Justice as all other the subjects of New Netherland or fforeign merchants frequently there and other places of New Netherlands do subject themselves especially that I will in no means of ways move any dissention between christians and Indians much less instigate the same. But rather remove and take away all differences and troubles already arisen or hereafter to arise between the sweeds Dutch and Indians as much as shall be in my power and that I shall govern and behave myself no otherwise than as if I was a sworn subject of this state and for the better assurance hereof I do bind my person and estate moveable and immoveable which I now or hereafter may have submitting the same to all Lords Courts Laws and Judges In witness whereof I have signed these presents in New Netherland at Amsterdam the third of May in the year 1656

HENDRICK HUYGENS.

**DESCRIPTION OF WAYNE COUNTY.**

Herewith you will receive the description I promised you, of Wayne County, Penn.—bounded on the north by the New York state line, on the west by Susquehanna county, on the south by Pike county, and on the east by the river Delaware, which is navigable from the north end of the county, to Philadelphia, 140 miles, and

then to the Atlantic Ocean. The Laxawaxen which is a considerable branch of that River, rises in the north part of the county, and is also navigable from Bethany, the county town, 125 miles to Philadelphia, and by means of a Canal now cutting to the North River and N. York.

The Climate is good, the Winter is cold, dry and severe, which is a great advantage for labour; the snow usually begins about Christmas or New-Year, and continues on the ground till March, forming an excellent defence for the roots of the grain and grass; little or no rain falls during that time. Then the Farmer threshes out his grain, goes to market with his produce in sleighs, which are easier for the horses, and pleasant to the rider; people then visit their distant friends and relations.

The Spring is pleasant, except the five or six days rain, which melts the snow, and causes the spring freshets.

The Summer is warmer than in England, or there would be no Indian Corn; it is not, however, so hot here as at Philadelphia, and still less so than in the unsheltered plains or flats of the South Western States; no day is here too hot for a man to work in the harvest field

The Fall or Autumn is the most agreeable season you can imagine, and continues so till after December, generally so fine as to admit the people to sit outside the doors. It is remarked the winters become milder as the forests are cleared away.

The Spring does not begin quite so soon here as in England, but the grass grows with more rapidity; there is no rain, hail, sleet and snow together, and not so many rainy days, and less mist and vapour.

We have a good soil, pure water, and a climate which accords with an English constitution; and is as good as any on earth, and certainly the most healthy spot in America; the face of the country is very picturesque; there is but little flat land, it generally is in undulations; rivulets and springs are in abundance; there is no farm, and scarcely a field without a stream or spring in it, of excellent water, as clear as crystal; the streams are full of excellent fish.

The soil is deep, generally from one, two and three feet; beneath this is a stratum inferior or subsoil, composed of clay and fine silicious earth or sand; what stones are there, lie almost entirely on the surface, are easily removed, and are useful for buildings and walls; where the trees have been taken out by the roots, and at the sides of the Turnpike Roads, where the ditches are dug, it is rare to find any stone beneath the surface.

Of the fertility of the soil, the usual crops offer strong evidence; the soil is as deep on the tops of the hills as in the valleys; as it does not wash off, the hills retain all their native fertility.

I have never heard of a single case of fever and ague; you see no sallow, sickly looking complexions; every log hut abounds with children, whose faces denote health and hardihood; no country can be more healthy.

The Forest Trees are lofty, say 80 or 90 feet, the white pine is the highest; the hemlock spruce also grows to a large size; the beech is from one to two feet in diameter, the birch the same; the chestnut grows very large and straight, and 60 feet to the lowest limb; white oak nearly as large; wild cherry grows as large as the beech, furniture is made from it resembling mahogany; the curled maple, of which we have plenty, affords also a beautiful wood for furniture, of the silky appearance of satin wood; sugar maple, white and black ash, lind, elm, button wood, crab apple, dog wood, hickory, black walnut, butter nut, poplar, tulip tree or magnolia, sassafras, and service tree; among the bushes are, blackberries, currants, gooseberries, raspberries, elder, hawthorn, laurel, hazelnut, sumach, and the rose, all wild in the woods; there is also a small grape.

The hills are all covered with timber; along the Delaware, there is a belt of oak and pine timber, which extends two or three miles, you then come into the back woods, which are composed of various kinds of timber,

where the soil is much superior to the former, both as to depth and quality. Great profit might be made by the sugar from the maple sap—it might be manufactured for exportation, but it is not at present made more than sufficient for the consumption of the country. A man who purchased 84 acres of land before he began his work at clearing, tapped a number of sugar maple trees, and the price of the sugar made by him in three weeks, amounted to two-thirds the price he was to pay for the land; this was done before a tree was cut down on the lot, except what was necessary to boil the sugar. The settlers usually make 800 or 1000 weight, nearly as good as West India sugar.

The turnpike roads recently made, are,

1st. The Great Bend and Newburg Road, which leads from Boston through Providence, R. I. Hartford, Conn. to Newburg on the North River, about 70 miles above New York; then to Damascus, on the Delaware River, and to Lebanon, Mount Pleasant, and Belmont, Wayne county—and thence to the Great Bend of Susquehanna; thence through the Genessee country to Lake Erie, the whole distance nearly North West.

2d. The Bethany and Dingman Turnpike, from Belmont to Bethany, to Milford on the Delaware, & thence to New York, the whole distance about 96 miles in a South East direction.

3d. The Belmont and Easton Turnpike, which runs nearly south to Canaan, Salem and Sterling, in Wayne; Smithfield, in Pike; Hamilton and More, in Northampton Counties—then it intersects with the Wilkesbarre and Easton Road to Philadelphia, about 140 miles, the whole nearly South, and a level handsome Road.

4th. The Milford and Owego Turnpike, which runs South East, and also leads to New York.

5th. The Belmont & Augusta turnpike, nearly North North West to Sturrucca, near Harmony; these are all finished with good bridges, and there are several more in hand to connect one with the other, so that we are well off for good roads, and the streams running into the Delaware give us great advantage in water conveyances.

6th. In addition to which, is the Canal now cutting from Mount Pleasant down the valley of the Laxawaxen to its mouth, thence 16 miles down the Delaware, made completely navigable, with a tow path to Carpenter's Point, thence cut through the Valley of the Never-sink, Mannacating, near Hurley, to Kingston, near Esopus, on the North River, and so to N. York.

7th. This Canal is to be connected with another through the upper part of the county, to near Harmony, and Great Bend of Susquehanna River, which is already navigable a great distance, and is made so by an artificial communication with Cayuga Lake, and so with the great Northern Canal to Lake Erie and the Ohio.—There is an enormous quantity of Coal, of the first quality, reaching nearly 40 miles, in the Music Mountain, which will be brought down by a Rail Road, two or three miles to the Canal at Mount Pleasant. There is Iron, and plenty of Mill Seats for Factories, and a great quantity of Wool raised in the County; and a number of Woollen Manufactories and Carding Machines, &c. We have no State tax, nor is there any occasion for poor tax yet. The only taxes we pay are for roads, bridges and county purposes, the payment of jurors, for wolfscaps, &c. and they do not amount to more than three dollars a year, on 100 acres of land. The Country is improving rapidly, several Manufactories, besides the large establishment, the Glass House, near Bethany, which is a considerable Borough Town. We have plenty of Grist and Saw mills, and other Machinery, &c. Our game, of which there is abundance, are deer, bears, wolves, foxes, pheasants, ducks, teal, wild turkies, rabbits, pigeons, partridges, &c.

*No. 1. The least Crop ever known.*

|     |                                    |        |
|-----|------------------------------------|--------|
| DR. | To clearing and fencing, per acre, | \$7 50 |
|     | 1 bushel wheat sown,               | 1 00   |
|     | Harrowing,                         | 0 75   |
|     | Harvesting,                        | 1 25   |

|                  |      |
|------------------|------|
| Threshing,       | 2 25 |
| Balance, profit, | 7 20 |

CR. Crop, 20 bushels per acre of wheat, at \$1 20 00

*No. 2. Middling Crop.*

|     |   |       |
|-----|---|-------|
| DR. | 1 acre of Land, clearing, fencing, sowing, dragging, harvesting and threshing | 12 75 |
|     | Balance, profit,  | 12 00 |

CR. By 33 bushels rye, at 75 cents, 24 75

*No. 3. Middling good Crop.*

|     |  |       |
|-----|--|-------|
| DR. | 1 acre of Land, clearing, fencing, sowing, dragging, harvesting and threshing, as above, | 12 75 |
|     | Balance, profit,   | 20 25 |

CR. By 33 bushels wheat at \$1, 33 00

We have known much greater crops of grain than above mentioned, but take the lowest and the average middling crop, but we have enough instances of 60 bushels of oats to the acre, and this season 70, 80, and 90 bushels of corn to the acre.

Mr. Benjamin Wheeler, of Mount Pleasant, raised the following produce from five acres of land, in one season, which land he did not plough till the 1st of May, 25 bushels corn, 5 bushels beans, 100 bushels oats, 11 bushels peas, 10 bushels flaxseed, 450 bushels of potatoes, and 400 weight of flax, which crop was valued, by the neighbors, at 500 dollars, and at the time actually would have brought that sum if sent to market; he also cut two tons timothy hay to the acre, worth then 10 or 12 dollars per ton. So that the clearing land is certainly profitable; but if the farmer, as is often the case, has but little capital, he cannot hire the work done, but it cost him some considerable time to learn to chop and work the same way as our people, who certainly are expert. We must not, however, give into the absurd hope of finding a place where idleness may repose itself, while the earth shall produce its fruits spontaneously; however, no industrious man is ever disappointed. The price of good land, in a state of nature, is from three to four dollars per acre, and on the turnpikes five to seven dollars. There are good improved farms that can be had cheap, and credit may be obtained for part of the purchase money, if required. The Mills on the river, as well as the towns, furnish a good market for grain. But above all, it is an excellent grazing country, the quantity of hay and good pasture make it an object of importance; to raise and fatten sheep and cattle, which is, on account of the nearness to market, the most profitable mode of farming.

The route of the Canal pitched on to connect the Delaware and North River, is a perfect level handsome valley all the way, with plenty of water, and passes through a thick settled fine country. *Sat. Ev. Post.*

\*For a general acc't of W.Co. see Reg. v. 3, p.135.

### THE MORRIS CANAL.

Last week we had the honor of being one of a party of gentlemen who paid a visit to the whole line of the Morris Canal, and some of whom extended their tour to the Pennsylvania works to be connected therewith; from Easton, on the Delaware, along the Lehigh, to the immense coal fields at Monch Chung.\* The party was com-

\***MONCH CHUNG:** This is the Indian name of the coal mountain which the Pennsylvania editors write, print, and try to pronounce *Mauch Chunk*. The name, thus written, has long been an abomination in our eyes—so much so that we had recourse to a gentleman of high literary acquirements, who has had great opportunities of acquiring a knowledge of the Indian language and character. He says there are no such words or sounds; nor any analogy as to them, as Mauch Chunk, in the Delaware, or any other Indian Language; and he believes the original Indian name was Mong Chung, or the *Bear Mountain*. Such hereafter, shall be our orthography of this celebrated place; and we entreat our brother Editors of Pennsylvania to step in to our aid in effecting the "Reform."



posed of many of our most respectable citizens, including several heavy capitalists, together with several scientific gentlemen from Pennsylvania and elsewhere, and the officers and directors of the canal company, the engineer, canal commissioners, &c. Leaving the city (New York) early on the bright and beautiful morning of the 13th inst. after skimming briskly over the Newark meadows, to the delightful and thriving town whence they derive their name, and traversing a portion of the canal banks between Newark and Bloomfield, we made our first stop at the latter place to examine the inclined plane just completed near the village, and which the party were to see in successful operation. There has been much scepticism upon the subject of inclined planes, and the fact having become known that the works here were to be set in motion, many hundred citizens, from Newark and the surrounding neighborhood were collected on the occasion to witness the experiment, which, as will be seen in the sequel, was equally successful and satisfactory.

The plane overcomes an elevation of fifty-two feet.—The rail-ways have an inclination of one foot in every twelve—of course they are 624 feet in length. The plane is constructed on the balance principle—that is, a chain passes round a pulley wheel at the head of the plane, and a car, on which a boat and cargo is to be transported, is attached to the end of the chain. The pulley-wheel, is connected with a water-wheel by a common gearing, so that the motion may be instantly and easily reversed by throwing spur-wheels in and out of gear. The descending assists the ascending body, just as the descending bucket in a well assists that which is ascending. And the water-wheel at the head of the plane, (to continue the familiar comparison,) supplies the place of the man at the crank of the wheel—and as the man at the crank would have to hold back, if the descending bucket were the heaviest, so at the plane, if the descending boat is the most weighty, the water wheel will be used to retard the motion, instead of propelling it. The trade from the summit level to Newark, will be chiefly a descending trade—that is, the descending freights of coal, iron, ore, lumber, plaster, agricultural produce, &c. ninety-nine times out of a hundred, will be the heaviest. And in such cases no water will be used on the water-wheel.

In the attempts heretofore made to introduce the inclined plane on canals, the greatest difficulty has been to pass the boat from the apex, or highest part of the plane, into the water of the upper level, or vice versa from the water to the plane. Double plains have been tried—that is, the plane from the lower level was carried up to some height above the water in the upper level, and from the highest point a plane was made to descend into the water of the upper level upon which the boat was to be launched, and to descend by gravity into the water. When a boat was to descend, she was to be drawn up by the machinery to the apex, and thence to descend to the lower level by her preponderance alone or with the assistance of a water wheel. Another mode which has been tried, is, to carry the boat up in a moveable lock. Whatever difficulties these means presented seem entirely overcome by the very simple machinery which we have been attempting in part to describe. There are two locks (or rather two half locks,) upon the inclined plane at its head. Into one of these locks the ascending boat is drawn by the pulley-wheel, while the descending boat is leaving the other lock and descending to the lower level. When the ascending boat reaches the top of the plane, she is completely in the lock, into which the water is let from the upper level. And during the operation, by a most ingenious contrivance, as the water rushes in, it raises a gate behind the boat, closing the lock, which then fills with water till it rises to a level with that of the upper level.

The upper gates of the lock then open, and the boat proceeds on her voyage. There is a beautiful part of

the machinery of this plane, by which the possibility of any great injury in case the chain should break, or any other part of the machinery give way, is prevented, which deserves particular mention. This is a governor, which is so applied to the wheels that the moment their velocity is unduly accelerated, large wedges drop-upon them instantly, and stop their motion. This contrivance, and the self-acting water gate, is, in our opinion, proof that great ingenuity and ability have been employed in the construction of this plane. Of these things, as well as of some other ingenious contrivances connected with the machinery, we understand Mr. E. Morris, a young man, who was the Contractor by whom the plane was erected, deserves the credit.

At the exhibition of which we are speaking, one of the cars was loaded with twenty-five tons of stone; which, to prevent all question as to the quantity, had been actually weighed with a pair of scales. On the other car was a boat intended for passengers, which was therefore, only freighted with 15 tons of stone. These cars, with these loads, and really a multitude of people in the boat, were passed over this plane of fifty-two feet lift, in less than seven minutes. Nothing could be more perfect or beautiful than the whole operation. It seemed to leave no doubt on the mind of any of the spectators present, but that Fulton's prediction that planes would ultimately supercede locks where high elevations are to be overcome, was about to be realized.

*N. Y. Com. Adv.*

### INSOLVENTS.

Trades or occupations of 182 persons who applied at the Insolvent Court of Philadelphia on the 24th of June. These lists we consider useful, as exhibiting in some measure those branches of business which require such relief.

| <i>Occupations.</i>      | <i>No.</i> | <i>Occupations.</i>     | <i>No.</i> |
|--------------------------|------------|-------------------------|------------|
| Labourers.....           | 17         | Shoedealer.....         | 1          |
| Shoemakers.....          | 15         | Stone cutter.....       | 1          |
| Carpenters.....          | 13         | Drayman.....            | 1          |
| Innkeepers.....          | 9          | Confectioner.....       | 1          |
| Merchants.....           | 7          | Coach trimming manu-    |            |
| Mariners.....            | 6          | facturer.....           | 1          |
| Weavers.....             | 6          | Tin pedlar.....         | 1          |
| Accountants.....         | 4          | Brickmaker.....         | 1          |
| Oystermen.....           | 4          | Coachmaker.....         | 2          |
| Tobacconists.....        | 4          | Editor.....             | 1          |
| Shopkeepers.....         | 4          | Miller.....             | 1          |
| Bricklayers.....         | 4          | Architect.....          | 1          |
| Blacksmiths.....         | 4          | Stationer.....          | 1          |
| From penitentiary.....   | 4          | Cooper.....             | 1          |
| Traders.....             | 3          | Porter.....             | 1          |
| Manufacturers.....       | 3          | Gardener.....           | 1          |
| Comedians.....           | 3          | Mason.....              | 1          |
| Carters.....             | 3          | Tanner and Currier...   | 1          |
| Watermen.....            | 3          | Sail maker.....         | 1          |
| Tailors.....             | 3          | Harness maker.....      | 1          |
| Attornies at Law.....    | 3          | Broker.....             | 1          |
| Sugar refiners.....      | 2          | Lamp maker.....         | 1          |
| Whitesmiths.....         | 2          | Druggist.....           | 1          |
| Coach drivers.....       | 2          | Brand & stamp cutter... | 1          |
| Hatters.....             | 2          | Saddler.....            | 1          |
| Painters & Glaziers..... | 2          | Dyer.....               | 1          |
| Teachers.....            | 2          | Baker.....              | 1          |
| Victuallers.....         | 2          | Cabinet maker.....      | 1          |
| Waiters.....             | 2          | Brush maker.....        | 1          |
| Uncertain.....           | 1          | Comb maker.....         | 1          |
| Wheel-wright.....        | 1          | Upholsterer.....        | 1          |
| Grocer.....              | 1          | Umbrellamaker.....      | 1          |
| Barber.....              | 1          | Glass polisher.....     | 1          |
| Chemist.....             | 1          | Gilder.....             | 1          |
| Watchman.....            | 1          | Turner.....             | 1          |
| Chair maker.....         | 1          | Tinner.....             | 1          |
| Pocket book maker.....   | 1          |                         |            |
| Shipwright.....          | 1          |                         |            |

## UNIVERSITY OF PENNSYLVANIA.

At the annual *Commencement in the Arts*, held July 31, 1829, in the Hall of the Musical Fund Society, the following degrees were conferred—

The degree of *Bachelor of Arts* on Edward A. Nassau, Joseph Wharton, William Delany, Adrian Vanderkemp, Charles T. Potts, John Robertson, James C. Booth, James L. Fisher, Clement Biddle, John B. Chapman, and William White.

The degree of *Master of Arts* on Robert B. Davidson-James P. Wilson, C. P. Bayard, Joseph Carson, Thomas M'Kinley, T. Latimer Bowie, James Nassau, and T. R. Newbold.

The degree of *Doctor of Medicine* on James M. Stewart, of Pennsylvania, and Washington Moorhead, of Ohio; and the honorary degree of *Doctor of Medicine* on Nathan Cole, of Burlington, New Jersey, and John Cooper, of Easton, Pennsylvania.

The honorary degree of *Master of Arts* on Joseph Roberts, of Philadelphia; and

The degree of *Doctor in Divinity* on the Rev. Charles Williams, President of Baltimore College, in Maryland; and the Rev. Eleazer T. Fitch, Professor of Divinity in Yale College, in Connecticut.

Previous to the commencement, the corner stone of the new College Hall was laid with appropriate ceremonies, by the Right Rev. William White, D. D. Bishop of Pennsylvania, and senior Trustee of the University; and an inscription in Latin, and in English, to the following effect, with a list of graduates, was deposited in the stone; an apposite address being delivered by Joseph R. Ingersoll, Esq. one of the Trustees of the University.

"This writing is deposited to record the commencement of a new building for the use of the Collegiate Department of the University of Pennsylvania.

*Trustees of the University.*

|  |   |
|--|---|
| The Governor of the State,<br>ex officio, President of<br>the Board, | Peter S. Duponceau,<br>LL. D.                             |
| Right Rev. William White,<br>D. D.                                   | Nicholas Biddle,<br>Zaccheus Collins,<br>Charles Chauncy, |
| Edward Burd,<br>William Rawle, LL. D.                                | Joseph Hopkinson, LL. D.                                  |
| Benjamin R. Morgan,<br>James Gibson,                                 | Joseph R. Ingersoll,<br>Reverend Philip F. Mayer,         |
| Horace Binney, LL. D.  | D. D.   |
| William Meredith,<br>Benjamin Chew,                                  | Philip H. Nicklin,<br>Rt. Rev. Henry U. Onder-            |
| Reverend James P. Wilson,<br>D. D.                                   | donk, D. D.   |
| Robert Waln,<br>John Sergeant, LL. D.                                | Robert Walsh, LL. D.                                      |
| Thomas Cadwalader.   | John C. Lowber,<br>Rev. Thomas H. Skinner,                |
|  | D. D.   |

James C. Biddle, *Treasurer.*

*Professors in the Collegiate Department.*

Rev. William H. De Lancey, D. D. Provost and Professor of Moral Philosophy.

Robert Adrain, LL. D. Vice Provost and Professor of Mathematics.

Reverend Samuel B. Wylie, D. D. Professor of Languages.

Alexander Dallas Bache, Professor of Natural Philosophy and Chemistry.

Rev. Edward Rutledge, Assistant Professor of Moral Philosophy.

*Professors in the Medical Department.*

Philip Syng Physick, M. D. Professor of Anatomy.  
John Redman Coxe, M. D. Professor of Materia Medica and Pharmacy.

Nathaniel Chapman, M. D. Professor of the Institutes and Practice of Physick and Clinical Medicine.

Thomas C. James, M. D. Professor of Midwifery.

Robert Hare, M. D. Professor of Chemistry.

William Gibson, M. D. Professor of Surgery.

William E. Horner, M. D. Adjunct Professor of Anatomy.

William P. Dewees, M. D. Adjunct Professor of Midwifery.

Samuel Jackson, M. D. Assistant to the Professor of the Institutes and Practice of Physick and Clinical Medicine.

*Professor of Botany.*—Solomon W. Conrad.

Rev. James Wiltbank, Master of the Eastern Grammar School.—John Sanderson, Master of the Western Grammar School.

A. De Valville, Teacher of French.—Augustus Willis, Teacher of Spanish.

Joseph Bullock, Master of *Keeble's* Charity School.—John M'Kinley, Master of the Boys Charity School.—Jane Knowles, Mistress of the Girls Charity School.

This Institution had its origin in the establishment of an "Academy and Charitable School," located on the west side of North Fourth street, between High (otherwise called Market) and Mulberry (otherwise called Arch) streets, to the trustees of which a charter was granted by Thomas and Richard Penn, proprietaries of the province of Pennsylvania, A. D. 1753.

By charter from the same proprietaries, bearing date June, 1755, the objects of the institution were rendered more comprehensive, and the style became "The College, Academy, and Charitable School in the Province of Pennsylvania."

This charter was annulled by act of Assembly of the Commonwealth of Pennsylvania, September, 1779, and the "Trustees of the University of Pennsylvania" incorporated.

In 1791 this act was repealed by the State Assembly, and the "College, Academy, and Charitable School" united to the University, under the style of "The University of Pennsylvania."

The location was then changed from Fourth street to South Ninth street, west side, between Chestnut and High streets, to the house erected by the State of Pennsylvania as a residence for the President of the United States, but never occupied for that purpose.

An addition to that building was made for the use of the Medical Department.

The building referred to having been found unsuited to the use to which it had been applied, has been razed, a Medical Hall erected on the southern portion of the site, and on the northern portion a building for the Collegiate Department commenced by laying this corner stone, July 31, 1829.

*President of the United States*—Andrew Jackson.

*Vice President*—John C. Calhoun.

*Chief Justice*—John Marshall.

*Governor of the State of Pennsylvania*—John Andrew Shulze.

*Chief Justice*—John B. Gibson.

*Mayor of the City of Philadelphia*—Benjamin W. Richards.

This building is to be erected under the superintendence of William Strickland, Architect; by John Struthers, stone cutter; Daniel B. Groves, bricklayer; John O'Neil, carpenter."

This writing is accompanied by a list of the Professors up to this date, the seal of the University, a copy of the laws for the government of the College, a list of the students in January, 1829, and the address of the Provost at the opening of the College in September, 1828.

## ADDRESS

*Delivered by Joseph R. Ingersoll, Esq.*

Half a century has elapsed since the University of Pennsylvania received its charter.

During a period so eventful in the history of a rising nation, the advancement of this branch of the institution has not kept pace with the growth of learning in the republic, or the merited success of its sister department. Endowed with sufficient liberality; seated in the



midst of a literary people, whose youth ardently seek instruction, and are eminently entitled to receive it; often under the guidance of learned and accomplished guardians; still the benefits derived from it have not been as extensive as its superintendents desired to make them, or the advantages it enjoyed might have been expected to confer. The sphere of *capacity* has been wider than the sphere of usefulness.

The Board of Trustees, deeply impressed with the importance and solemnity of the duties committed to their care, have been anxious to give full effect to all their resources. They have accordingly used their most strenuous exertions to call them forth into practical activity. They have revised the statutes, and renewed and enlarged the scheme of education. They have invited the best and most experienced talents of the country, to preside over the different departments of instruction.

Hopes which were conceived from the well established reputation of the Professors, have been realized in their ardent devotion and successful zeal. Public confidence has not withheld its approbation, or refused to sanction the course which has been pursued. Already the classes have begun to fill.—Industry and talent in the instructors perceive that their rewards are gathering round them, in the wider and wider diffusion of learning, in the increase of pupils whose present fidelity in application, and ambition to excel, afford the safest pledge of ripe and accomplished scholarship.

To these untiring efforts at improvement, an obstacle has been presented in the imperfect arrangement of the College buildings. The vast pile now nearly prostrate with the ground, was designed by the munificence of the State for the use of the head of the Federal Government. Its spacious corridors and lofty halls, were ill adapted to the abiding place of the Muses; and they too have yielded to the general resolution to improve. The structure has been removed for the convenience of the public; and from the same motive, a position central to the population of the city has been retained, at no inconsiderable sacrifice. It is now to become the site of an edifice, whose simplicity will correspond with the habits and occupations of its inmates, but whose symmetry and taste, it is hoped, will not be unworthy of the classic feeling which it is its main object to instil.

Should the desires of this great community permit and encourage the undertaking, the design is cherished of extending still further the plan of accommodation. Other buildings may be erected when other wants require them. Then, upon this foundation may arise a great institute, the source of instruction in every art and every science. In its diversified and comprehensive views, not only may polite learning be united with the exact sciences and the philosophy of nature and of morals, but the mechanic arts may find a home, each department of professional knowledge may be attained, and all the modern tongues may be brought into immediate comparison with the energetic diction of Tacitus, and the prolific language of Sophocles and Homer.

At a meeting of the Trustees held August 4th, 1829, it was unanimously resolved—

That the Trustees have witnessed with great satisfaction the assiduity and zeal of the Provost, Vice Provost, Professors, and Assistant Professor in the Department of the Arts, during the time that has elapsed since their respective appointments.

That the Trustees deem it expedient to express and communicate to the officers of the Faculty a sense of confidence in their abilities and exertions, and a belief that perseverance in the industry and devotion which they have manifested, will, with the aid of Providence, render the institution a public and a national benefit.

By order of the Board,

WM. WHITE, Chairman.

Attest—JAMES C. BIDDLE, Secretary.

#### NOTICES OF THE LIFE AND CHARACTER OF

#### ROBERT PROUD,

Author of the "History of Pennyl's"—by Charles West Thomson.  
(From the memoirs of the Penn. Hist. Soc.)

Most of those great and admirable men who belonged to the patriarchal age of our country are now no more, and too many of them have gone to their rest "unhonored and unsung." Unambitious of fame or future renown, it is true of many of them, that they passed much of their lives in retirement and seclusion. In the native simplicity of their characters, they pursued the quiet path of unassuming duty, and while they walked humbly before God, and dealt justly with their fellow men, they asked not the idle breath of praise to give them a celebrity, which they knew at best could be but vain and evanescent. Among this unassuming class, perhaps one of the most obscure and retiring was Robert Proud, the only citizen of Pennsylvania who has ever honored her with a History, or attempted to give her a name among the nations. To the contemplation of some prominent incidents of his retired life, we propose devoting a few pages.

He was born, according to a memorandum of his early life which he has left, on the 10th day of May, 1728.—His parents, William and Ann Proud, were at that time residing in Yorkshire, England, at a farm-house called Low Foxton, which was so named to distinguish it from the adjoining farm of High Foxton, and which has long since been entirely demolished. It was situated about a mile distant from a small market-town called Yarm, on the river Tees, which forms part of the boundary line between the counties of Yorkshire and Durham. From his early years, he appears to have been studiously disposed, or as he himself expresses it, "I had a sense of what is good and excellent, and of the contrary; and have ever been, according to that sense, very desirous of the best things; and therefore early, in my young years, had a strong inclination for learning, virtue, and true wisdom, or improvement of mind and mental felicity, before, or in preference to all mere worldly or inferior considerations; which I afterwards rejected on that account, when I was courted by them, and had it in my power to have appeared in a much superior character and station in the world, than I am since known to be in."

The first step which he took in the path of learning was at the neighbouring village of Crathorn; where he went to school, to acquire the rudiments of knowledge, to a person of the name of Baxter. This circumstance, as far as we are informed, presented, in itself, nothing remarkable; but it is interesting, as being the outset of that career, which afterwards stamped his character, and produced so powerful an influence over his fortunes.

When Robert was about five or six years of age, the family removed from Foxton to a farm 15 or 20 miles distant, near the village of Thirsk, called Wood End, which had long been the seat and residence of the Talbots. Here he continued to reside until he was nearly grown up, when, induced by his desire for improvement, he obtained permission to leave his paternal mansion, and took up his abode under the roof of one David Hall, at Skipton, in a distant part of the same county of Yorkshire. Some depression of spirits, very natural to a young mind on its first departure from home, appears to have attended him in the prospect as well as the accomplishment of this journey; on which he was accompanied by his cousin Robert Proud, who afterwards became a preacher in the Society of Friends, and visited America on a service of ministerial duty.

This David Hall was a member of the same society, and also a preacher in it,\* and kept a boarding-school,

\*He was likewise a writer of some esteem in the society, and after his death, some of his productions were re-printed, and published in a small octavo volume, with a sketch of his life written by himself.

in which he taught the Latin and Greek languages, and some other branches of learning. The subject of our present notice had no previous knowledge of him, excepting by name and character, but he was a man, it seems, of some literary reputation; and, as Proud says in his memorandum, "esteemed one of the most learned, reputable, and most worthy persons, then in that part of England." The preceptor and the pupil appear, however, to have been well pleased with each other; and a firm friendship was cemented between them, which continued unremitted until the death of Hall, till which time they maintained a correspondence in the Latin tongue.

Robert remained in the house of his esteemed tutor at Skipton about four years, with great satisfaction and improvement. It was not his original intention to devote himself particularly to the languages, but merely to advance himself in some parts of mathematics, and enjoy the improving conversation of his instructor. By his persuasion, however, he applied himself to Latin and Greek, and soon made considerable proficiency.

But another change was now to be made, still more trying than the former, to a young and inexperienced mind. To London, that "resort and mart of all the earth, was the next remove, which he effected in the year 1750, being then about 21 years of age, taking with him a recommendation from his affectionate preceptor. After some time, by the influence of his kind friend and relative, the illustrious Dr. John Fothergill, who, unlike some high professors of the present day, "was a great friend of learning, and a zealous promoter of true mental improvement, and a lover of all useful science," (such is Proud's eulogy,) he obtained an agreeable temporary situation in the families of Sylvanus and Timothy Bevan. These gentlemen had an establishment in London; but their country seat at Hackney, about two miles distance from the city, was generally the place of Robert's residence. In this retirement he first assumed the office of a preceptor, occupying a considerable part of his time in the tuition of the two young Bevans, sons of the last named gentleman. He took the opportunity, however, in his intervals of leisure, of cultivating his own improvement in literature and science, in the hope that, at some future period, it might redound to his own advantage, or at least enable him to become a useful member of society. Amid all the ardour of study which he evinced, the desire to render his attainments subservient to the good of his fellow beings seemed to be a paramount consideration; and sometimes, as had before been hinted, occasioned the neglect of his own immediate interests. He was now placed in a situation where he could indulge this propensity; and his views were still intensely directed, as though he had prophetically foreseen his coming labors in the land of his adoption, not only to his "own future advantage; but also to that of others." He pursued knowledge, at this time, for its own sake; the *amor literarum* with which he was infected was a sublime hallucination, and taught him to look on pecuniary aggrandizement as mean and contemptible, or, in his own language, "as the most despicable of worldly objects." But he had occasion to regret in after life, with a feeling of blight and disappointment which usually attends such minds, his inattention to the good things of this world, & was obliged to acknowledge, that tho' "honour and fame from no condition rise," yet the circumstances in which we are placed in society do more or less intimately affect our happiness. A man of genius illy provided in this respect, must, generally speaking, either select his associates from among those who are beneath his level in intellect, or else experience much difficulty, as Proud did, in order to act in proper character, and maintain the standing his education would seem to demand. This, to a sensitive mind, would be equally trying on either side; and it will easily be conceived how deeply such an one must feel the deprivations of fortune, even though not subjected to "any immediate want or extraordinary necessity." Narrow cir-

cumstances, he also discovered, were no small impediment to entering into the married state, a situation which, in his early years, he seems to have ardently desired, as conducing materially to the felicity of the human mind. But, like Moses on Mount Pisgah, he only perceived the excellency of the promised land, but was never permitted to obtain the possession.

From the preceding remarks it will be inferred, that, during his residence in London, Robert Proud was introduced into a very different rank of society, and moved in a much higher sphere, than that to which he had before been accustomed. It was his good fortune, which he acknowledges as a favour from the Divine hand, to receive from those with whom he then associated, the most respectful notice and attention. From the intimacy which he thus enjoyed with Dr. Fothergill and other celebrated members of the medical profession, he was induced to apply himself to the study of that science; and, having ample opportunity of obtaining the best information on subjects relating to it, he continued the pursuit for several years, with a success fully adequate to his expectations. His views of the practice of physic were noble and exalted; and the same desire to labour for the benefit of mankind, which had stimulated him to exertion in his former employments, followed him into his present occupation, and urged him to pursue it with increased assiduity.

But there is a species of professional disgust, (I know not what else to term it,) which sometimes seizes upon men of the strongest mind and most vigorous intellect, and throws, by its paralyzing influence, a pervading spell over the whole of their future life. Our admired countryman, the late Charles Brockden Brown, was an interesting instance of this singular malady. Few men, perhaps, have had a fairer opportunity of rising to enviable reputation at the bar than he; and fewer still have possessed abilities so adequate to enable them to ascend the steep of fame with ease and rapidity. To his elegant, powerful, and comprehensive mind, the law opened a field of active enterprise and tempting emolument; and for a time the race was promising. But ere the goal was fairly out of view, this *malum magni animi* laid its withering grasp upon his energies, and he retired in disgust from the ranks of legal competition. A similar fate awaited the subject of our narrative. With the fairest prospect of success before him, he became dissatisfied with his situation. It exposed him, he remarks, "to a very glaring view of the chief causes of those diseases, (not to say vices,) which occasioned the greatest emolument to the profession of medicine;" and, upon this ground, (the solidity of which we leave others to determine,) his aversion to it became so insupportable, that he at once abandoned the pursuit, and with it his country. For this last singular step we find it difficult to account. He gives no reason for it himself in the memorandum to which we have referred, excepting some vague idea that it was taken "on account of that satisfaction of mind which much acquaintance, popularity and fame, or the hurry of much employment, crowds and large cities seldom afford." It is not a little remarkable, that so important an action of his life should have a cause assigned for it so very unsatisfactory.\*

\*There is a tradition abroad respecting his emigration from England, which it may not perhaps be amiss to mention, although, as far as we can learn, there is little warrant for its authenticity. He seldom or never spoke on the subject, and has, consequently, left the matter open to conjecture. It is said that he had formed an attachment to a young lady of great beauty, to whom, if I am not mistaken, he was under engagement of marriage, which being broken off by the interference of royal gallantry, produced a disappointment, which is spoken of as the cause of his voluntary exile. This, however, it will be remembered is merely tradition. Another individual was well known at one time as having incurred a disappointment of the nature alluded to, and having

On the the third day of January, 1759, Robert Proud landed at Lewistown, in the state of Delaware, and three days after arrived in Philadelphia. He left behind him in England three brothers and two sisters, of whom little is known. His parents, it appears, were yet living, at the time of his emigration, and, while they remained, it is said, he at one time thought of returning to his native land; but they, in the course of nature, were removed—the auspicious season passed away—and his wish was never accomplished. The first person with whom he took up his residence after his arrival, was one Isaac Greenleaf,\* at whose house, however, he remained but a few months. He changed the place of his abode frequently during the first twenty years of his residence in Philadelphia and its neighborhood. During that time, he resided, at three different intervals, with his worthy friend Anthony Benezet; and he frequently spoke, with great satisfaction, of the many pleasant hours he spent in the company of that estimable man, and those other venerable characters who were accustomed to resort to his humble dwelling.† Finally, however, in the autumn of 1779, he went to reside with Samuel Clark; in whose family he continued, without intermission, during the remainder of his life, a lapse of more than thirty years.

From the period of his arrival in America, his life assumed a monotonous aspect, very unfavorable to biographical interest. Retired in his habits, he pursued “the noiseless tenor of his way,” and seldom coming before the public eye, the memory of many of his days has gone down with him to the grave. Many years previous, a public school or seminary had been established by the Society of Friends, one department of which was appropriated to instruction in the classics; and in this school, about the year 1761, Proud took his station as teacher of the Greek and Latin languages.—He continued in this situation until the commencement of the revolutionary war, when he relinquished the preceptorship, and engaged in an unfortunate mercantile concern with his youngest brother, John Proud, who was then a resident in this country. Robert was an ardent royalist: he could not for a moment entertain an idea unfavorable to the success of the king’s cause, and made his calculations in business accordingly. The result proved adverse to his expectations and his hopes—the colonies became independent, and his commercial affairs went to ruin. His brother returned to England, and Robert, at the close of the war, again resumed his school.

The total discomfiture of the royal cause, to which his affections were so closely wedded, and the consequent failure of his own private fortunes, seemed to have soured his feelings towards the land of his adoption; and, although his ideas of prudence induced much taciturnity on the subject, yet he has occasionally expressed himself in rather unkindly terms towards this country, in some of the papers which he has left behind him. With regard, however, to his sentiments on this topic, it must be remembered, by way of extenuation, that he had

had some acquaintance with Proud, it is supposed by the friends of the latter that the circumstance has thus been incorrectly imputed to him. There seems, nevertheless, to be some slight ground for the belief, that our historian did at one period suffer a similar discomfiture, but not with the person or in the manner generally reported.

\*Merely for the sake of correctness, it may be as well to observe, that he staid previously, for a day or two, at the house of his friend, Mordecai Yarnall, who was the companion of his voyage.

†Proud used to compare Benezet’s house to a ship’s cabin, it being below the level of the ground, with descending steps to the door. This antiquated building stood in Chestnut street below Fourth, nearly opposite our present Post Office, and was removed in the year 1818, to make room for a more modern edifice. A sketch of it has been preserved by Roberts Vaux, Esq.

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left his own country under peculiar circumstances, with all those powerful attachments, not to say prejudices, which every true patriot should feel for his native land—that so long as the colonies remained under the government of the mother country, he seemed, in some measure, to retain a hold upon his birth place—that the dismemberment of the colonies broke this tie, and totally severed him from the home of his affections. The ardent spirits of the times, moreover, must be taken into consideration; the treasonable character which the contest was thought by many to present, must also be remembered; and combining these with those fierce and unfriendly passions, which a civil war invariably awakens, we must forgive Proud, Englishman as he was by birth, and fretted as he had been by early disappointment and later misfortune, if he did prefer the land of his nativity to the land of his adoption, and in that trying, and, in its results, glorious struggle, gave his full and undivided heart and feelings to the furtherance of the Tory interests.

It is not a little singular, that, under this full tide of political excitement against the colonies, the subject of our notice should have projected, and in a few years, absolutely accomplished a History of Pennsylvania—the only history of our state which has ever been attempted,\* and which is rendered more valuable on that account, than from any intrinsic merit it possesses. I do not say that it is valuable on that account only; for as a succinct collection of historical facts, it undoubtedly deserves the most respectful attention; but its style is too dry, and its diction too inelegant, ever to render it a classical work, or to enable it to stand before a more graceful competitor. It is exactly that stately old-fashioned article that its author himself was; only wanting the capacity which he possessed, by gentleness of tone or kindness of manner, to make itself agreeable. He deserves, however, all reasonable credit for his performance—for it was a work of no small labour to collect the materials for such a book. He who has never undertaken so arduous a task, knows little of the persevering patience it requires to get together into a congregated mass, to sort, select and arrange those “scattered fragments of broken” facts, which are the body and the essence of such a composition. The difficulty of discovering those who have the desired information, and the still more insurmountable difficulty of inducing them to communicate it, are enough to discourage any man, unless he be endowed with more than common equanimity, from making so wearisome an attempt. In this view, Proud’s volumes deserve our sincere commendation.—He has acted in the arduous character of a pioneer—he has gone before, and gathered up the segregated materials; and to the future historian he will at least serve as a land-mark, by which he may in some measure direct his course.

I have said that, after his failure, Robert resumed the duties of a teacher. This was his element, and perhaps the sphere of his most extensive usefulness. He took great delight in the languages—was well acquainted with Latin and Greek, and had also a considerable knowledge of French and Hebrew. With the Latin he was so familiar, that he thought he could understand a subject better in that language than in his own. Under such competent government, the school necessarily flourished; and he had the satisfaction of sending forth from it many, who have since attained a high standing in society, and become ornaments to the circles in which they have moved. His manners as a teacher were mild, commanding and affectionate. I once heard a gentleman, who had been his pupil, speak with much satisfaction of Proud’s conduct towards him on leaving school. He entered with perfect freedom into familiar conversation, enquired with the most paternal anxiety respecting his prospects in life, with the greatest kindness of

\*Since the date of this memoir (1826) an History of Pennsylvania has been published by T. F. Gordon, Esq.

ferred him some appropriate advice, & parted with him as a father parts with a son. It produced on the mind of this individual, though he was at that time but a boy, an impression of the deepest respect.

The venerable tutor relinquished his school about the year 1791, and employed himself in preparing his History for publication. It had been principally written for some time, but the circumstances of the revolution prevented its appearance, and it was not till the year 1797-8, that it was finally ushered into the world. As might have been anticipated, it was unsuccessful; and thus not only were several years of assiduous labor lost, and the fond expectations of authorship overthrown, but considerable pecuniary expenditures, necessarily incurred, remained without the hope of reimbursement. Thus disappointed in his literary views, he resigned the pen, as an author, and sat himself down, in *otium cum dignitate*. Having now survived the greater part of his most intimate friends, he seldom went abroad, as he had formerly been accustomed occasionally to do, for the purpose of visiting; but employed most of his time at home in reading and writing; sometimes in composition of his own, and sometimes in translating short moral sentences from various Latin authors, which he continued to do without the aid of glasses, even to the advanced age of eighty years. Many of his essays were poetical, but of the number he has left, few rise above mediocrity. He appears at a certain period of his life, a little prior to the one just noticed, to have been the victim of frequent fits of dejection; and, at some of these seasons, he gave words to his distress in very moving numbers. Those of later date, however, appear more calm and confident, and his closing days were passed in tranquility and peace. He continued to live on thus, in great seclusion and uniformity, for many years; until a naturally strong constitution, which had generally insured him a good state of health, began to give way before the inevitable attacks of age; when, after languishing for 11 days, on the evening of the 7th of July, 1813, and in the eighty-sixth year of his age, he quietly sank into the rest of eternity, "like a shock of corn fully ripe."

Robert Proud was in person tall—his nose was of the Roman order, and "overhung with most impending brows." I remember having seen him when I was quite a small boy; his appearance was striking, and could not readily be altogether forgotten. I have not been able to recall the expression of his countenance; but I well remember the imposing effect, which the curled, gray wig, the half-cocked, patriarchal-looking hat, and the long, ivory-headed cane, had on my boyish imagination. I believe Proud was one of the last of the old school—I mean those who adhered faithfully to the dignified dress of our ancestors. One by one they have dropped away, and with them has departed almost every trace of the olden time.

The character of this venerable relic of honest worth may be summed up in a few words: I give nearly the language of one who knew him well. He was a zealous advocate for useful learning, a man of regular habits and great temperance, and in his manners the model of a gentleman.

Requiescat in pace.—No proud mausoleum lifts its head to celebrate his praises; his nameless grave owns no memorial, but the green sod with which Nature has adorned it; but many an one is yet living, who, in the grateful recollection of his worth and virtues, can sanctify the memory of DOMINE PROUD.

#### AMERICAN SILK.—No. 5.

All cocoons are not fit to make the three qualities of fine silk mentioned in the next preceding number, and which are the principal, the great staple of the silk trade; but it is the peculiar advantage of the material produced by the labour of the silk worm, that there is no part of it, however apparently worthless, that is not put to some profitable use. In no branch of human in-

dustry is the excellent precept of the Gospel more religiously followed than in the silk business: "Gather up the fragments, that nothing be lost." This number will be devoted to exemplifying this assertion.

There is a great variety of what are called *imperfect cocoons*, whose threads are not susceptible of being prepared for the manufacture of silk stuffs. They are called in French by the generic name of *chiques*. The limits of these essays do not permit me to enumerate or describe them; nor is it necessary for the object I have in view. The material extracted from those cocoons is employed in the manufacture of *sewing silk*.

This silk is of two kinds, each of which has its first and its second qualities. The name of *sewing silk* is exclusively appropriated, in France, to the finest of these two species, the other is called *cordonnnet*, or *twist*. The sewing silk, so called, is employed in the sewing of silken stuffs; the *cordonnnet* is used for working button-holes and sewing woollen and cotton stuffs. The one is for the use of *tailors*, the other for that of *milliners* and *mantua makers*. Tailors employ it only in their more delicate works.

The raw silk for these purposes is extracted from the bad cocoons, reeled and wound into skeins, according to its different degrees of fineness, in the same manner and by the same process (varying only in the details) as that intended to be used for the manufacturing of fine stuffs. It is sold in market under the name of raw silk, but does not bear so high a price as the other.

To manufacture this raw silk into *cordonnnet* and sewing silk, properly so called, is a nice, delicate and very complicated work, particularly to make the finest kind and give it the evenness of threads, the elegant twist, and the beautiful gloss, that the French sewing silks possess. Like the threads which are worked into singles, organize and tram-silk, these are passed through the *mill*.

This admirable machine, to which the French silks owe so much of their beauty, was introduced into France from Bologna, in the Papal States, under the ministry of the great Colbert, by an Italian named *Benay*. The enlightened minister was soon sensible of the value of this acquisition. Benay was loaded with riches and honors. "*Il fut* (says the Dictionnaire Universel du Commerce, *verbo ORGANSIN*,) *gratifié, pensionné et ennobli*." He received largesses in money, a pension, and a title of nobility. In those days nobility was not so cheap in France as it became since. Every one knows the answer of Louis XIV. to an officer, who, being offered a pension, said he would prefer the Cross of St. Louis—"You are not a man of bad taste," replied the monarch, and the Cross was not given.

It might be expected that I should speak here of the sewing silk which is manufactured by the wives and daughters of the Connecticut farmers, and, I am told, also, by those of the state of Ohio, much to the honour of the skill, enterprise and ingenuity of this country. This subject is too interesting to be passed over, and I shall speak of it in its proper place. I am now on that of French manufactures.

Having thus shewn the use which is made of the imperfect cocoons, I shall proceed to that of the waste and refuse silk.

In winding off the silk from the cocoons, whether perfect or imperfect, the finest and best threads are not those which are first spun out; on the contrary, the first threads which come off the cocoon are coarse, uneven and unfit for use in the silk manufactories, either for the stuffs, twist or sewing silk. This loose, fuzzy substance, which is about one tenth part of the whole silk on the cocoon, is called in French *fleuret*, and in English *floss*, from the Latin *flos*, flower; a name which reminds us of *lucus a non lucendo*. As soon as the threads of silk in the process of reeling come out fine and regular, this floss is separated from them and put aside for use, as will be presently mentioned. To it are added all the threads which, either from some defect in the

cocoons or from the awkwardness of the women employed in the different operations of reeling, winding and doubling, either break off so as not to be easily united to the other threads, or come out uneven or otherwise unfit for use; these are called the *waste silk*, and added to the *floss*, assume with it the same name. This mass, boiled in soap and water, afterwards carded and spun in the spinning wheel, takes the name in French of *Bourre de soie* or *filoselle*. Boyer, in his dictionary, translates the word *filoselle* into English by *ferret-silk* or *flurt-silk*. This last name is evidently a corruption, or an English pronunciation of the French word *fleuret*. I shall call it with modern writers *floss-silk*.

This floss, ferret or flurt-silk, by whatever name it may be called, is employed in making silk stockings, mittens, gloves, suspenders, night caps, and, in general, all kinds of silk hosiery. I have heard that the women of Connecticut knit silk stockings and mittens out of the silk which they extract from the cocoons. I shall speak of these also in their proper place.

Thus nothing is lost or wasted of the precious material produced by the silk worm. I mean by those who understand the art of employing it. Otherwise, all experiments, by those who are unskilled in the business, cannot but be attended with considerable loss.

There are, then, six different kinds of silks extracted from the cocoons by processes of various kinds, or which vary more or less from each other in the manner of using them, and all of which require not only skill and dexterity, but knowledge acquired by long practice. I shall recapitulate them in their order, according to their different degrees of fineness.

1. Silk of the first quality, or singles.
2. Silk of the second quality or organzine.
3. Silk of the third quality, or tram silk.
4. Sewing silk of the first and second quality.
5. Cordonnet, or twist of ditto.
6. Filoselle, or floss silk.

The whole of the labour of extracting these different silks from the cocoons, and all the preparatory work until it is put to the mill, is done by women, who have separate tasks assigned to them, in each of the various and complicated branches of this business. The work shops are superintended by an overseer, who must be master of the whole art. These are well compensated, and have no inducement to leave their country. Hence the difficulty which the nations of Europe have found in obtaining the knowledge that is indispensable for introducing the manufacture of silk among themselves. It is doubtful whether Great Britain would have possessed it, if the revocation of the Edict of Nantz had not brought among them the Protestant refugees from France, whose descendants even at this day are the support of the silk manufactures of *Spitalfields*.

#### NO. VI.

Since the publication of the fifth number of these essays, I have been shown two parcels of fine cocoons, raised on the estate of General Hartwell Cocke, at Bromo, in the county of Fluvanna, in Virginia, by the son of that gentleman. One of the parcels was the produce of worms fed on the leaves of the white Italian, and the other of worms raised on those of the wild American black mulberry tree. From the colour of the silk, it appears that all those worms proceed from eggs of the China breed. The dead crystalides were within the cocoons, so that it is probable that they were killed by the usual process of baking.

On the first inspection of these cocoons, the silk of those made by the worms fed on the wild mulberry leaves appeared to me richer and if I may use the expression, more *silky* than that of the others. On lifting them they hung by each other by their silken threads, while those of the other parcel did not stick together and were entirely separated. But on a closer examination, I satisfied myself that this appearance proceed-

ed from the greater quantity of *floss-silk* that they contained, which is so considerable, that they could not be reeled off without very great loss, and consequently they would never be a good merchantable commodity. Dr. Dudley, Professor of Surgery in the Transylvania University, who was present when these cocoons were exhibited at the Hall of the American Philosophical Society, said that he had used sewing silk made from those last mentioned in tying up the larger blood vessels, and found it stronger and fitter for that use than any other. This is easy to believe as this strength is produced by the greater coarseness of the threads, which, by a parity of reasoning, makes that silk unfit to be used in the manufacture of fine stuffs.

I therefore cannot recommend making use of the silk produced by worms fed on the leaves of the wild mulberry; but I am of opinion at the same time, that that tree engrafted with the Italian mulberry, would be of a hardier growth, and not so liable to perish by cold and other vicissitudes of the atmosphere, as the plants of the latter, and the leaves would be obtained in a shorter space of time.

These incidental observations on the indigenous mulberry tree of America, and the silk produced by the worms fed on its leaves, naturally lead me to speak of the domestic manufactures of the ladies of Connecticut, and, if I have been rightly informed, also of some other parts of this Union. I have been shown some of the best sewing silk and twist made in that state, and I have been astonished that so much should have been accomplished without the knowledge of the art, and without the use of the necessary machinery, and particularly of the *mill*, which I have already said to be indispensable to making that article in its perfection. If I have found a considerable difference between that sewing silk and those made in Europe, it is not to be wondered at, since I have been informed that it is spun on that coarse machine called the *wool wheel* or the *big wheel*. I cannot say, therefore, that it is fit to supersede the same article of European manufacture, and this is sufficiently proved by the great quantity of the latter which is annually imported into this country and sold at a much higher price. At the same time, I am free to say, every thing is to be expected from a country which unaided by any thing but its own native powers, displays so much genius, skill and talent, with the most active and enterprising industry.

I have not seen any of the silk stockings, gloves and mittens which I am told are manufactured by the American ladies, and which I have been assured are excellent of their kind. But the question is not here about the beauty or excellence of these samples of American ingenuity. Admitting them to be as perfect as possible, and equal in beauty or fineness to any manufactured elsewhere, I still must regret the enormous waste of the bounties of which nature has been so prodigal to this country, and the immense loss which it experiences by their not being otherwise employed. I have said in my fifth number, that sewing silk and twist are only made in Europe out of the *imperfect* cocoons, and hosiery out of the coarse and refuse silk called *floss*, while all the rest is prepared in the form of raw silk, to be employed in the manufacture of fine stuffs. Here, on the contrary, the whole of this precious material is wasted, is lost, I may say in the fabrication of an inferior kind of sewing silk and twist, and of stockings and mittens. Is it not as if the gold of the mines lately discovered in North Carolina, instead of being applied to its proper uses, were employed in making kettles and sauce-pans? Let not this comparison be thought too strong; if the floss of the cocoons is, as I have said, only one-tenth of the silk that they produce, nine-tenths of that silk is miserably wasted and lost to the country which it might enrich. The proportion of perfect to imperfect cocoons depends on the attention paid to the culture of the silk-worms, and on the skill and experience of those who raise them; but this I can assert, that when the insect is reared with

care, according to the excellent method prescribed by Count Dandolo, the proportion of imperfect cocoons is very small indeed. I once bought for my father, who was a silk manufacturer at Nîmes, and under whose instruction I have learned the art, twenty quintals of cocoons, all of the same crop, and only five pounds of imperfect ones were found among them.

Such is the lamentable waste which is annually made in the United States, of the richest material that the earth produces, and which, if properly used, may raise this country to the highest degree of wealth and prosperity. To show how this can be affected, will be the object of future numbers. I do not expect that they will be many; I shall say no more than what I shall think absolutely necessary to point out to the people of the United States what I conceive to be their real interest, and the precise mode in which I think it ought to be pursued.—Their intelligence, and, above all, their patriotism, will do the rest.

Before I conclude I ought to observe that an error has inadvertently crept into the first number of these essays, which I think it necessary to correct. Speaking of the weights with which the cocoons were weighed which I found so superior to those of Europe, I used the expression *avoirduois* of which I did not know the meaning. It was a mistake, as those weights were of the French standard of *sixteen* ounces to a pound. This affords a still stronger proof of the superiority of American cocoons.

3d August, 1829.

J. D'HOMERGUE.

### CENTREVILLE RAIL MINE.

One of the chief objects of curiosity among the many about our place, is the long opening of the North American Company, on the Centreville tract, generally called the Rail Mine. This drift was among the first which was opened and worked upon the true scientific principles of the water level, and it now extends about fifteen hundred feet under ground. The coal is brought out in ton wagons, propelled by a horse, and there is likewise a gin, which answers the purpose of a ventilator. The first sensations on entering the place, reconcilable only with Ovid's "*faciles decensus Averni*," are not at all pleasant. The waggish warnings of the workmen, who take a peculiar degree of pleasure in warning visitors to hold down their heads, keep their fingers from the sides of the waggon, &c. excite a cold sensation of fear: but when the conductor's candle is once placed against the solid slate which serves as the boundary between the externals and infernals, agitation begins to give way to surprise.—On the left is the interminable vein of coal descending at its regular angular dip of forty-five degrees, into the very centre of Symmesonian existence, and there, for aught we know, worked for the benefit of unknown Cyclops. To the right, prop after prop in regular rows supports those portions of the slate where the coal has been excavated, and which must present no unapt resemblance of ancient Herculaneum or Pompeii, now when the ingenuity of man is making a signal conquest over the most terrific of nature's phenomena. After we are seated in the coal wagon, which is the vehicle for the conveyance of the passengers into the mine, the horse is started, and we proceed for some distance in the most impenetrable darkness, rendered more gloomy by the single light which the conductor carries in his hand. After proceeding thus some hundred feet, and at intervals gaining a peep of day-light from the air-shafts on the right, we turn a slight bend and the whole arcanæ of this interior world is developed to the astonished visitor. We cannot readily imagine a more awfully grand sight, or a feeling of more terrific grandeur, than when first the numerous lights burst upon us through the darkness. Fancy immediately revels in the youthful remembrance of fierce and august Genii, at their dark and midnight incantations,—of the famous grotto into which Peter Wilkins was trepanned—of the perilous adventures of

Sinbad the Sailor, and all those "bible truth" stories of childhood in which we are delighted, and which even now carry their inestimable charm with them. When we have arrived at the breast on which the workmen are engaged, we leave the wagons, and take footing, to the right up the ascent of the slate. Here we can perceive the method by which the coal is most readily excavated as immense fragments are successively broken off, and tumbled down to the conveyances, by which they are drawn from the mine. We keep this path to the right through a forest of props, and at last the blessing of day-light is again presented to us, and gratefully indeed does it present itself. The visitor is then hoisted from the pit by the Ginn, and once again stands on terra firma. After performing all requisite ablutions, (and coal dust is no respecter of persons, blackening the unsullied white of female delicacy with no sparing hand) we can depart to view the other mines in the neighborhood, but a visit to none of them, so richly compensates for the labor and trouble as this.

*Miner's Journal.*

### METEOROLOGICAL REGISTER,

Taken at the State Capitol, Harrisburg by WILLIAM MUSEBAVE, Librarian.

JULY—1829.

| Thermometer.                              | Barometer.      | Days of the Month.                         | Wind.               |
|---|-----------------|--|---------------------|
| Max. 15th 78°                             | Max. 26th 29.90 | 1. 12. 13. 14.                             | 4 ds N              |
| Min. 1st 59°                              | Min. 8th 29.47  | 24. 25.                                    | 2 " NE              |
| Diff. ex. 19°                             | Diff. ex. 43    | 4. 17. [23. 2 "                            | E                   |
| Mean ex. 68½°                             | Mean ex. 29.68  | 18.19.20.21. 22. 6 "                       | SE                  |
|   |                 | 26. 27. 28. 29. 4 "                        | S                   |
|   |                 | Mean temperature from 2.56.15 16.30.31 7 " | SW                  |
|   |                 | three daily observations. 7. 1 "           | W                   |
|   |                 | 2. 8. 9. 10. 11. 5 "                       | NW                  |
| Days of the Month.                        |                 |  | Weather.            |
| 1. 2. 3. 6. 17. 18. 19. 23. 28. 4.        |                 |  | 9 days cl'y & sho   |
| 5. 8-27. 31.                              |                 |  | 1 stead.heav. rain. |
| 7. 9. 10. 11. 13. 14. 15. 16.20.21.22.26. |                 |  | 4 p clear p cl'y.   |
| 12. 30.                                   |                 |  | 12 clear.           |
| 24. 29.                                   |                 |  | 2 cl'y wh. th. gust |
| 25.                                       |                 |  | 2 cloudy, no rain.  |
|   |                 |  | 1 p hy rain, p cl'y |

On the 1st of the month, in the morning, the thermometer stood at 55°. On the 15th, at and from noon, till nearly 4 o'clock, P. M. it stood at 90°. Range in the month, 35°. Difference between the mornings and noons; from 2° to 20° and upwards. On the 26th, the highest state of the barometer, 29.90. The lowest on the 30th, 29.50. Range in the month, 40. or 4.10 of an inch. The wind has been ten days east of the meridian, 13 west of it, 4 days north, and 4 days south. This month has been nearly 2° mean temperature, colder than last June, and 7 1-3° colder than July, 1828.

On 13 days, in this month, there has been, either, steady rain, heavy showers, or thunder gusts. There have been but ten days in this month that the temperature, at noon, was above summer heat, and the greatest extreme was on the 15th, only 14° for a few hours. Thus it appears that the month, in general, has been remarkably cool and wet.

### Observations on Meteorology.

I will now endeavour to fulfil my promise, but before proceeding to any remarks, it will be requisite to notice a long and universally acknowledged truth, that the material sun under the direction of an Omniscent Deity, is the source of light, heat, and most of the phenomena attending our earth; taking this for granted, let us, as



far as we see effects, consider whence they proceed, and the cause of them. That the solar light, and the electric fluid, (if it can be called such) I am pretty confident are the same, as may be proved by several experiments, I will just mention one. Let the points of two conducting wires connected with an electric machine, be placed within attracting distance, so that the spark, upon discharging the jar, will pass freely from one point to the other, and let a lens be so placed, that the conical point of the sun's condensed rays, passing thro' it, may fall exactly between the conducting points, on discharging the machine, the spark will not pass thro' the cone of rays. Now, if philosophic reasoning be correct, that bodies, or substances, or any thing else, of a similar nature, attract, unite, or neutralize each other, there must be something like this between the solar light and the electric fluid. Going on this principle of solar light and the electric fluid being the same, will account for facts long established in the torrid zone; there the greatest quantity of the sun's direct rays are poured upon the earth, there the greatest quantity of the electric fluid is accumulated, there tornadoes, tempests, hurricanes, and storms, most frequently happen. But it may be asked, in what manner does electricity produce these? I answer, the inconceivably quick and repeated flashes of lightning occasion such vacuum, that the surrounding parts of the atmosphere rush in to restore the equilibrium; this continued for some time, whether by attraction or impulsion, or both together, will cause a tornado, as the air in such case, rushes in as it were, from a circumference to a centre. If different vacua in any particular direction, should happen at the same time, the wind will be drawn in that direction, and produce either a hurricane or tempest, for without the expansion of air, united with vapour, neither can happen, and let it be remarked, that the expansion and evaporation, at this time, is always to leeward, or opposite to the direction of the wind. With respect to the rain, it now is no longer matter of conjecture, how water is formed. The electric spark, or lightning, passing through the atmosphere, ignites and decomposes the oxygen and hydrogen; which explode, and the water which was formed of these two, falls down in the form of rain. The explosion of the gases, as well as the rushing in of the circumambient air to restore the equilibrium, will account for the clap and peal, as the decomposition and ignition will account for the water or rain. Thus lightning, or electricity explains almost to a certainty, all these wonderful operations of nature.

That clouds are oftener drawn by attraction, in certain directions, than driven by the wind, I have had frequent opportunities of witnessing. Often have I seen, without any rain, a rapid current of heavy black clouds, none other strata being visible at the time, carried or rather drawn in a direction opposite to the wind, for the space of from four to six hours. This, I conceive cannot be accounted for any other way, than to restore the equilibrium of the atmosphere, for I remarked that, after an interval of 48 hours, the wind changed its direction, and rain commenced at the place whither the clouds were carried, and seemed to discharge themselves in a retrograde manner, as Dr. Franklin, I think, has well observed, like letting the water out of a mill-dam, the lowest or heaviest part being discharged first.

In the above cases, expanded air seems to have considerable effect, but how high the expansion arises, we are unable to determine. If the heights of from 13,000 to 15,000 feet above the level of the ocean, as assigned by philosophers, for the regions of perpetual snow, both in the torrid and temperate zones be correct, then there must be in this elevation some intermediate place, where expansion ceases, and contraction or condensation commences, which, at the most, would not exceed 7000 feet. I cannot find whether *Saussure*, *Humboldt*, *Fa-sser*, *Rennel*, or any of the *aeronauts*, have noticed at what height a change of temperature takes place, nor have

we any method of ascertaining whether a succession of these changes takes place above the snowy regions, but I am fully convinced in my own mind, that this expansion and contraction produce effects upon our atmosphere that we are not likely, soon, to come to the knowledge of, and would account for many phenomena that are at present inexplicable. The height at which the lower part of the *aurora borealis* has generally been observed, falls nearly within the intermediate limit of 7,000 feet above the surface of the earth. As cold air contains a greater portion of oxygen than warm air, it is not improbable that the expanded air, (for there is in the coldest regions of the earth, heat sufficient to produce it,) rising and coming in contact with the oxygen, produces the luminous appearance; the corruscations and flickering appearance of the *aurora* indicate something of this nature, I will not say it is so, but from every thing that can be collected, it is an aerial affection.

WILLIAM MUSGRAVE.

[Remarks to be continued.]

### CARPET MANUFACTORY.

Washington, (Pa.) Aug. 1.

*Ingrain Carpeting.*—The first of this kind of carpeting made in this place, has been finished by Mr. Peter Kennedy, weaver, for the wife of Samuel Workman, Esq. and consists of 37 yards. The colouring was done by Mrs. W. We have had an opportunity of seeing this article, and consider it in every respect equal to the imported. Heretofore we have had in abundance, made in our town, beautiful carpets of the Venitian stripe; but Mr. Kennedy has been the first to weave for us the more elegant *Ingrain*.

By the following article, it will be seen that an extensive manufactory of carpets existed in this city, in 1791—but which, from want of encouragement or some other cause, languished and died. We should suppose that the enormous consumption of this article would justify establishments for its manufacture.

Amongst the many accounts of the flourishing state of the infant manufactures of America, it seems strange that the *Carpet Manufactory* has been hitherto so little noticed. A correspondent who has lately visited that establishment in the Northern Liberties, informs us, that he has seen some of the carpets manufactured there by William Peter Sprague, of those durable kind called *Turkey* and *Amster*, which sell at 20 per cent. cheaper than those imported, and nearly as low as Wilton carpeting, but of double its durability.

The carpet made for the President, and others for various persons, are master-pieces of their kind, particularly that for the Senate chamber of the United States. The device wove in the last mentioned, is the *Crest* and *Armorial Achievements* appertaining to the *United States*. Thirteen Stars, forming a constellation, diverging from a cloud, occupy the space under the chair of the Vice-President. The *AMERICAN EAGLE* is displayed in the centre, holding in his dexter talon an olive branch, in his sinister a bundle of thirteen arrows, and in his beak, a scroll inscribed with the motto *Ephuribus unum*. The whole surrounded by a chain formed of thirteen shields, emblematic of each state.

The sides are ornamented with marine and land trophies, and the corners exhibit very beautiful *Cornu Copias*, some filled with olive branches and flowers expressive of peace, whilst others bear fruit and grain, the emblems of plenty.

Under the arms, on the pole which supports the cap of liberty, is hung the *balance of justice*.

The whole being executed in a capital style, with rich bright colours, has a very fine effect, notwithstanding the raw materials employed, are of the refuse and coarser kind; so that this manufactory is an advantage



to others by allowing a price for those articles which could not be used in the common branches of woollen and tow business.

Manufactures of all kinds will generally meet with the support of the friends of the country, and this in particular, which already gives employment to a number of poor women and children, will no doubt be encouraged. The article of carpeting is now imported in considerable quantities, for which, large sums are annually exported to Europe; but if due encouragement be afforded, there is every reason to believe that it may become an object of exportation. *N. Y. Mug.*

### MAUCH CHUNK.

*From the American Daily Advertiser.*

MR. POULSON,

In reference to an article which appeared in your paper a few days since, extracted, I think, from the New York Commercial Advertiser, it may seem to be a matter of very little importance to the public, or to individuals, whether *Mauch Chunk* or *Mong Chunk*, be the proper name for the Tamany Coal Mountain on the Lehigh.

But as the first name, *Mauch Chunk* has been uniformly applied to it in Pennsylvania, in name and pronunciation, and has so passed into our Legislative enactments and judicial records, I think we may with propriety cleave to the old saying of "Let well enough alone." Having felt a little tenacious that the old name should be retained, if bottomed, as I believe it was, on the authority of Heckewelder, the following letter from the learned and venerable Duponceau, in answer to an inquiry on the subject, completely puts down the *Mong-Chunkers*, and is decisively in favor of the spelling and pronunciation of

MAUCH CHUNK.

August 4, 1829.

COPY.

*Philadelphia, 3d August, 1829.*

DEAR SIR,

In answer to your question respecting the name *Mauch Chunk*, I have the pleasure to state to you, that the late venerable Mr. Heckewelder, derived it very properly from the Delaware word *Machk-tschunk*, which signifies the *Bear's Mountain*.

In fact, in that language, (the Lenni, Lenape or Delaware,) the word *Machk* signifies a *Bear*, and *tschunk*, which we would write *Chunk*, is the last syllable of the word *Wachtchu*, a mountain, to which *nk* is added, as a sign of locality, in this as in all names of places, such as *Pasyunk*, *Manayunk*, *Minsiink*, &c.

As to the pronunciation, the nearest in analogy with the English language, is *Mauk-Chunk*, or *Mock Chunk*, which I believe is the way in which it is now pronounced, and I do not see how the present orthography, *Mauch-Chunk*, can be altered for the better. It has been long in use; it was so even in Heckewelder's time, and I think it should be preserved.

I am, respectfully,

Dear Sir,

Your mo. obt. h'ble. servt.

(Signed)

PETER S. DUPONCEAU.

P. S. It is not impossible that in some Indian Dialect of the Lennape Stock, which may have been spoken in the State of New York, or its vicinity, *Mong* may have been the Indian name for a *bear*; but after examining a great number of vocabularies, I have not been able to find any such. It is every where *machk*, *machqua*, *mozikwa*, or some similar modification of the same root.

P. S. D.

### READ'S PATENT CHIMNEYS.

Specification of a Patent for an Improvement in the Art of Building Chimneys, and altering those already built, in such manner as to prevent or cure their

Smoking. Granted to Almon H. Read, Montrose, Susquehanna County, Pennsylvania, April 3, 1829.

Smoke is chiefly water in a state of vapour, mixed with carburetted hydrogen, rarefied nitrogen gas, and bituminous substances. The principal part of the water is furnished by the chemical combination of the hydrogen of the combustible body, with the oxygen of the atmospheric air of the room. Hence, the absolute necessity of taking into consideration the capacity of the room, in order to determine the size of the fire-place and flue. Again, the current through the fire-place and flue, is to be kept up, not only by the gases and vapour, abovementioned, but in part by the rarefaction of atmospheric air, let into the room by the occasional opening of the doors, &c., the whole of which is not decomposed by the process of combustion, but is continually escaping in a rarefied state, with the vapour and gases. Hence, in the second place, the necessity of ascertaining the capacity of the room, i. e. the quantity of cold air to be rarefied and expanded. I have discovered the due proportion between the capacity of the room and that of the fire-place and flue.

1st. The number of cubic feet contained in the room to be warmed, must be calculated.

2d. The front opening of the fire-place must contain four-tenths the number of square inches that there are cubic feet in the room.

3d. The front opening of the fire-place must not be more than seven-tenths as high as it is wide.

4th. The horizontal section at the mantel (which I call the mouth) must contain two-tenths the number of square inches contained in the front opening, and must extend the whole width of the back.

5th. The throat must contain one-tenth the number of square inches contained in the front opening, and must extend the whole width of the back.

6th. The throat must be, above the mouth, equal to one-eighth the width of the front opening.

7th. The flue, above the throat, must be carried out, of the same capacity of the throat, varying the direction and shape as you please, but preserving the same number of square inches in every section thereof.

8th. The flue should be carried out separate from all other flues.

9th. The two last mentioned rules are to be observed in building new chimneys, but in altering old ones, generally, may be disregarded, without essential injury.

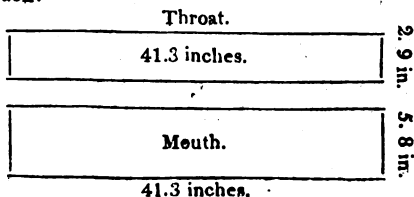
10th. If two fire-places of equal size are wanted in the same room, take one-half of the cubic feet as the capacity of the room, and in like proportion if three or more fire-places are required.

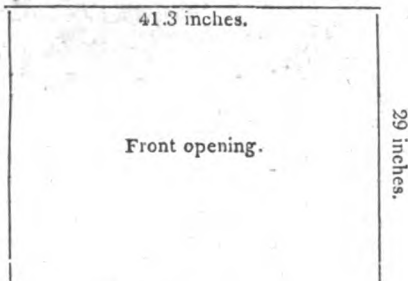
11th. The fire-place may be deep or shallow, the back may be perpendicular or otherwise, and the jambs may be at right, or any other angle, to the back, that suits the fancy.

What I claim as new, and as my own discovery, in the above described improved method of building chimneys, and for the use of which I ask an exclusive privilege, is, the application of the aforesaid principles to the building of chimneys, and also the first, second, third, fourth, fifth, sixth, seventh, and tenth rules or positions abovementioned.

A. H. READ.

Drawing of a fire-place for a room containing three thousand cubic feet, and with jambs at right angles to the back.





Room containing 3000 cubic feet. Four-tenths of 3000 is 1200, the number of square inches in the front opening. This gives a fire-place 41 3 inches wide, and 29 inches high, with a mouth of 240 square inches, and a throat of 120 square inches, and a flue above the throat, of 120 square inches; the throat above the mouth, 5 1/2 inches.—*Jour. Fra. Inst.*

#### CAPT. JOHN PAUL SCHOTT.

Our obituary column a few days since, contained a notice of the death of Captain JOHN PAUL SCHOTT, of this city, aged 85 years.—It is due to the memory of a good man—it is due the cause of virtue, that some public notice be made of the services of those who have directly ministered to the public good, either in defence of national rights in the tented field, or by a salutary example in the quiet walks of private life. It is ill with a people "when the righteous die, and no man layeth it to heart."

Capt. Schott was a native of Prussia, in which kingdom he was born in 1744. After an academical education, he, at the age of 16, received a commission from Frederick the Great, and served some time in the army of that distinguished general, where he had occasion to see and mingle in, much severe service. The attachment to a soldier's life and strict subordination, which is the soul of all armies, and was especially characteristic of that of Frederic, did not diminish his ardent attachment to rational liberty. Hence he early felt and expressed a strong interest in the cause of our country, struggling as it was to maintain a station to which her wealth, numbers and localities, gave her claim.

With a view of visiting this country, captain Schott, early in the year 1776, arrived at the island of St. Eustatia, where he obtained information touching the colonies, and found that it would be in his power to aid in a cause that enlisted his best feelings and challenged the sympathies of a considerable portion of Europe.—He accordingly chartered a schooner at that island, loaded her with arms on his own account, and sailed for Chesapeake Bay, the entrance to which he found blockaded by the English fleet. By the aid of a British flag, and a British officer's uniform, with which he had had the precaution to supply himself, he passed through the fleet, and after much peril arrived at Hampton; where, having disposed of his cargo to the government, he made known his intention to join the service; and, after a proper introduction, received from congress a captain's commission—now before us signed by the venerable John Hancock.

He entered zealously and effectually upon the duties which he had assumed, and which he knew so well how to discharge. A higher grade would undoubtedly have been more consistent with captain Schott's military knowledge and experience; but a point of etiquette established in the service of Frederic, prevented him from asking for a larger command. The commanding officers of stations were, however, at no loss to discover the capacities of captain Schott, and availed themselves of his knowledge, prudence and fidelity, by directing him to the discharge of duties usually assigned to officers of higher grade—a confidence which it is believed he most amply repaid.

The skill with which captain Schott directed a piece of artillery in the presence of Washington, during an attack near New York, attracted the attention of the commander in chief, who recommended him immediately to the attention of Col. Knox, in whose regiment a command was given him, by which he rendered important services at White Plains.

General Washington, on the 31st of July, 1777, directed captain Schott to raise a company, allowing him to nominate his own officers.—Subsequently he was honoured with the command of three companies, in addition to that which he had raised.

At the battle of Short Hill, where the Americans were defeated, captain Schott, in covering their defeat, was severely wounded and taken prisoner. He was marched to New York, and thrown into the Provost prison. The accumulated evils which he endured for six months under the immediate direction of Cunningham—a wretch who acquired an infamous notoriety for his exquisite art in inflicting miseries upon prisoners entrusted to his care. A majority and a large bounty were offered captain S. if he would leave the rebels and join the British army. His steady adherence to the cause he had espoused, and consequent indignant refusal of the offer, tended to increase the brutality of his tormentors.

When captain S. was released, he was reinstated in his command, which, during his imprisonment, had been given to colonel Armand, and immediately joined Pulaski at the Minisink; whence he marched with general Sullivan, on the western expedition, and commanded the right column of general Hand's brigade.

Captain Schott was placed in command of the fort at Wyoming, and having, in 1787, married in that vicinity, he determined to make it his place of residence. In 1787 he was elected a member of the state legislature, and evinced a desire and capacity to secure to the citizens the extent of those civil advantages to which his military services had so essentially contributed.

In 1788 captain Schott raised a company of light horse in Luzerne county, and was commissioned by the vice president of the state as its commander, an office to which he was re-elected in 1795.

In the year 1791 captain S. was appointed a justice of the peace for Wilkesbarre, and discharged the duties of his commission until he left that section of the state to reside in Philadelphia, whither he removed in 1804; and shortly afterwards received a commission in the Custom House, and attended to the labours of his office until a short time before his decease, when, at the age of 84, he voluntarily retired from active life.

Few persons of foreign birth, we believe, entered the "Continental army" with purer motives or stronger attachment to the cause of rational liberty, than Captain Schott; and none identified their own interests more immediately with the sacred cause. The many letters and special directions from Washington, Hamilton, and other worthies of the Revolution, which are now found among his papers, show how fully his talents and devotion to the country were appreciated; and the relinquishment of considerable possessions in his native country, together with entire expatriation, is evidence that his zeal was according to his knowledge, and that he knew how to enjoy that which he had labored to attain.

Well educated in youth, and early accustomed to the discipline of Frederic's army, and subsequently associated with such men as Washington, Knox, and Hamilton, it is not surprising that Captain Schott should possess the manners that constitute the nameless charm and imposing dignity of age.

Few men had a heart more susceptible of feeling for the afflictions of others, or a hand more open for deserved charity; yet none knew better how to conceal his beneficence, or applaud similar virtues in others.

The piety of captain Schott was deep, fervent, but unobtrusive—regulating his life and conspicuous in his death; not assumed for times and seasons, but mingling

in and influencing all his intercourse with his fellow men. His youth had been marked by undivided attention to those pursuits that were intended to open to him usefulness and honor; his manhood distinguished by devotedness to the cause of public liberty and social happiness; and his age was found in that "way of righteousness that maketh the hoary head a crown of glory."

*United States Gazette.*

### PORT OF PHILADELPHIA.

Annexed will be found a table of the arrivals and departures, to and from this port during the past month. We think the table will be useful and interesting; and have made arrangements to continue its publication hereafter at the end of each month.

*Aurora.*

#### Inward for July, 1829.

| Where from.           | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|-----------------------|--------|----------|--------|------------|---------|----------|
| England, - - -        | 6      | 1        |        |            |         | 2280     |
| Cuba, - - -           |        |          | 1      | 4          |         | 532      |
| South America, -      |        |          | 2      | 3          |         | 507      |
| Madeira, - - -        |        |          |        | 1          |         | 88       |
| British Am. Colonies, |        |          | 3      | 6          |         | 992      |
| Danish W. Indies, -   |        |          | 2      | 1          | 1       | 492      |
| Hayti, - - -          |        |          | 2      |            |         | 282      |
| Ireland, - - -        | 1      |          |        |            |         | 288      |
| Spanish W. Indies, -  |        |          |        | 2          |         | 120      |
| Holland, - - -        |        |          | 2      |            |         | 385      |
| Trieste, - - -        |        |          | 1      |            |         | 181      |
| France, - - -         |        |          | 1      |            |         | 161      |
| Brazils, - - -        |        |          | 1      |            |         | 202      |
| China, - - -          | 1      |          |        |            |         | 331      |
|                       | 8      | 1        | 15     | 17         | 1       | 6839     |

#### Outward for July 1829.

| Where to.             | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|-----------------------|--------|----------|--------|------------|---------|----------|
| England, - - -        | 3      |          | 1      |            |         | 1338     |
| Cuba, - - -           |        |          | 3      | 3          |         | 509      |
| South America, -      | 1      |          | 4      | 1          |         | 937      |
| British Am. Colonies, | 1      |          | 1      | 5          |         | 1027     |
| Danish West Indies, - | 1      |          | 3      | 2          |         | 919      |
| Swedish W. Indies, -  |        |          | 1      |            |         | 169      |
| Dutch West Indies, -  |        |          | 1      |            |         | 130      |
| The Hanse Towns, -    | 1      |          |        |            |         | 235      |
| Brazils, - - -        |        |          | 2      |            |         | 467      |
|                       | 7      |          | 15     | 11         |         | 5731     |

Coastwise, inward vessels 53, tons 5731.

Do. outward do 51, tons 5840.

#### Experiment in favor of Temperance.

"May 26, 1791. 'Tis a fact worthy of notice, that no rum or Spirit of any kind was used on board the ship Brothers, Capt. Josiah, in his late voyage to Canton.—His men were uncommonly healthy, and not a life was lost between his leaving the Delaware and his return to it. The constant drink of his sailors was spruce beer. Twenty years ago, it was thought Utopian to think of navigating a vessel without a daily allowance of rum to the sailors, as it is now to think of cultivating rice or sugar without slaves."

*Phil. pap.*

**Large Cabbage.**—On Friday week, a leaf was taken from a cabbage stalk, in the garden of Mr. Jacob Rathfon, in the city of Lancaster, which measured eight feet in circumference. Lancaster county against the state for kraut.

*Lanc. Int.*

*Sunbury, (Pa.) Aug. 3.*

The harvest in this and the adjoining counties, as far as we can learn, have been unusually abundant. Some of the largest crops in Lycoming county, we understand, have been cut without the help of ardent spirits. So much for temperance societies.

**Shamokin and Mahanoy Coal.**—I lately visited the coal mines on these streams, and was really astonished, that in the present coal excitement, and rage for speculation in coal lands, these valuable beds should be so little attended to. The quality of the coal is very superior, and it is in my opinion, very easy of excavation. The coal lies near the surface, and instead of mining by propping, &c. as is done at Pottsville, the earth could here be thrown off, and the coal exposed, at a trifling expense. The greatest body of this coal, I am told, is confined to what is called Bear Valley, extending from the head waters of the Shamokin to the forks of Mahanoy creek, a distance of about nine miles, and in width from three to five miles. It is also found in considerable quantities higher up these streams to the base of the Broad Mountain, in a direction towards Pottsville and Mauch Chunk. Several of these mines have been partially opened, and the coal hauled in waggons to Sunbury, to supply the neighboring blacksmiths. It is preferred by those who have used it, either to the Wilkesbarre or Schuylkill Coal—though to me it appears to partake more of the quality of the Schuylkill than the Wilkesbarre or Mauch Chunk coal. It is light and inflammable, and what is very singular, there appear to run through it streaks or lines resembling the growths in wood.

This coal might be brought to Market, either by the Shamokin or Mahanoy to the Susquehanna. The distance by the Shamokin creek would be about sixteen, and by the Mahanoy about ten miles, and these streams could be canalised, or railways might be constructed, from the mines by the route of the creeks to the river.

Baltimore, and the Susquehanna country below the confluence of the two branches, would afford abundant market for this mineral, and the expense of transportation would be much less than that of the Wilkesbarre coal by the North Branch canal.

*L.*

*Susquehanna Emporium.*

*Gettysburg, (Penn.) Aug. 5.*

A greater quantity of rain, it is thought, never fell in this neighborhood, in the same time, than on Thursday last. It literally fell in torrents for two or three hours. Considerable damage has been done to the fencing along the courses of the rivulets, which became very much, and very suddenly, swollen. We learn also, that a large portion of the stone bridge over Rock-creek, on the Baltimore turnpike, has been destroyed by the flood.

On Monday evening we had another storm of rain, accompanied with constant thunder and most vivid lightning. The waters rose nearly as high as on Thursday. Some building, apparently a few miles northwest of the town, was on fire during the storm—doubtless from lightning. We had not heard, when our paper went to press, where, or whose it was.

*Adams Sent.*

**Map of the State.**—We have lately seen a small map of this State, published by Mr. A. Finley of this city—having laid down upon it the various canals & rail roads, whether commenced or proposed, which we think must prove a desirable companion to the traveller—it is well executed and sold at a very reasonable price.

Printed every SATURDAY MORNING by WILLIAM F GEDDES, No. 59 Locust Street, Philadelphia; where, and at the PUBLICATION OFFICE, in FRANKLIN PLACE, second door back of the Post Office, (back room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where here is an agent. Other subscribers pay in advance.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 7. PHILADELPHIA, AUGUST 15, 1829. NO. 85.

## FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

### EARLY SETTLEMENTS ON DELAWARE.

*In a Book of Dutch Records begun the 19th Aug. 1655.*

Tuesday the four and twentieth of August 1655 The petition of Edmond Scarborough being read to the board desiring that he may depart hence with his sloop and some negroes bought for Virginia after the collection of voices it is ordered

The request is granted provided the petitioner give security to the value of five thousand pounds sterling that he shall neither directly nor indirectly runn into the south bay nor river and that his men do promise upon oath not to do the same nor to give any intelligence to any person on the sea or on Shoar dated as above

*In the same Book*

Being delivered and read to the Board the petition of Claes Pieterse Smith wherein he sets forth that he the petitioner as well in the South river as in this place has wrought for the service of the Honorable company since the year one thousand six hundred and fifty-four & furnished sundry things for which remains due to him for Balance the sum of Three hundred fifty six guilders and sixteen stivers as also the payment or restitution of three small fuzees desiring that he may receive payment of the same

After collection of voices is joined for answer when the petitioner. shall have proved the particulars and where he left the arms that were at his house when the Fortress Casimer was surrendered further notice will be taken of his request done in the Fortress amsterdam in New Netherland the 18th January 1656

*Copy of a paper amongst the ancient Dutch Records.*

Instructions to Colonel Nathaniel Vlie concerning the Dutch seated in Delaware Bay within his Lordships province

That he made his Repair to the pretended government and people seated in Delaware Bay within his Lordships province without notice given to his Lordships Lieutenant here and to require them to depart the province

That in case he find opportunity he insinuate unto the people there seated that they do make application to his Lordships government they shall find good conditions according to the conditions granted to all comers into this province which I shall be made good unto them and that they shall have protection in their Lives Liberties and estates they shall bring with them signed

PHILLIP CALVERT

this paper has no date

*An answer to Capt Nathaniel Vlie by the Dutch government of the South River also without date*

Whereas at your request you appeared yesterday in the afternoon before our board and there read to us and produced before us certain instructions which your Honour says are passed by order of the Honourable Josias ffendall Lieutenant of the Lord Baltimore but without day or date nor the place where written being signed by Philip Calvert Secretary concerning the taking

Vol., IV.

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Possession of the Delaware Bay or the Settlement there In which before mentioned instructions it is merely said and alledged that this place is situated in the said Lord Baltimores province and that therefore this government with their people should depart hence as soon as your honour should have notified the same here and your honour has therewith further acquainted us that all the lands between thirty eight and forty degrees from sea to sea East and West did belong to the said Lord Baltimore governeour of Maryland and that what had been in dispute concerning the same was lately again granted in old England telling this only without therewith producing or delivering unto us the required proofs as wee would also willingly have of the propositions made by you in writing to prevent misunderstandings

Your honour thereby intimates with words of more weight that in case of refusal of immediate departure to be unaccountable for the much innocent blood that by reason thereof might be spilled such proceedings and treatment appear to us unexpected and strange of Christians of the same religion and neighbours of whom wee desired nor yet desire but the maintaining of good friendship and neighbourhood and to whom we have never given the least treatment of discontent Therefore wee yet desire the proofs heretofore requested of you or any extract thereof relating to the verification of your Honours Masters pretensions of the property and Limitts of these lands whether they be conquered by force of arms or obtained by titul of gifts as also of what was lately or some small while ago concerning this affair done by the parliament in favor or in Justice to your honours master.

Wee offer by these presents immediately to show what wee have obtained from their high and mightynesses the lords states general for the United Netherlands and lawfull transport or conveyance of the west india Company payment made and the possession of this place

But if any misunderstanding might appear in the one or others allegations that the difference may be referred to the supream authority as the parliament and the High and mighty Lords states generall otherwise because we are but new comers in these countries and therefore unacquainted with the circumstances of this affair or what may be found concerning the same in the publick officers of Record or otherwise.

Doe refer ourselves to the proofs to be brought against the same to the generall of New Netherlands under whom wee resort

further concerning the second part of your honours said instructions that your honour should offer to some people and inhabitants here good conditions of agreement relating to plantations and commerce with the inhabitants of Maryland with promise of protection and larger Liberties which has been in some manner already done to those that by oath are plighted to their Lords and masters and others considerable sumes indebted which are thereby seduced disquieted and leave their work begun hinders them and runn into ruin whereby the lords and masters are frustrated of their past dues and therefore are necessitated to protest against your honour and your masters as is done by these presents of all Damages prejudice and interests suffered or yet to suffer to recover the same in time and season where and as they shall advise

For the continuing of peace and quiet amongst the subjects of the publick of England and the high and mightynesses the Lord States general We refer ourselves to the articles of peace treaties and alliances made in the year one thousand six hundred and fifty-four on the fifth of April under which resort all governments as well in america as in Europe and whereby they are charged and recommended to commit no hurt hostility or injury against one another as by the sixteenth article

Wee trust nevertheless that your Honour will be pleased to consider all what relates to this affair not otherwise but as to maintain Equity and Justice

Wee declare that we are in no manner of ways desirous to defend injustice but very readily meet with or yield to those that have most Right what surpasses or contradicts this and without reason is imposed on us Wee refer ourselves to the supreme powers or otherwise protest against all injuries as before &c

It has been further advanced that to furnish a more peculiar answer to this affair that there be wrote to his Honour the generall with all speed for which by the Colonell is allowed and granted the space of three weeks or thereabouts at least till wee receive a Return or answer was signed J Alricks Alexander de Hinoyossa Willem Beckman Jan Willemson Johan Crato Hendrick Kip by order of the Honourable the Director and Council as also the Director Beckman and the Gentlemen (scheepenen) aldermen In absence of the Secretary (was signed)

G V SWIERINGEN

An Extract out of the instructions to the Gentlemen Commissioners of the board of the Honourable director and council of New Netherland Mr. Cornelius Van Ruyven, secretary of the director and council Captain Martin Cregier, Ruling Burgomaster of this city of Amsterdam going to the South River, dated the twenty-third of September, 1659.

*The Ninth Article.*

If the beforementioned Nathaniel Vtie bee it in person or by any body else might return for an answer on his frivolous demand and no less frivolous signed promise as is said to have been given him in writing the gentlemen commissioners are to give unto him as being a spye and wholly unqualified no answer until he first exhibits a due qualification of a state parliament or lawfull establish'd government in the mean while to keep him and his second as hostages and treat them civilly untill they exhibit better qualifications or that other commissioners bring a more peculiar and better answer from any state prince parliament or lawful government to the end wee may be duly acquainted where how and on whom wee may take satisfaction for the costs and expenses already been at yet to be at in the maintainance and defence of our own.

*The Tenth Article.*

The said Vtie returning or not returning they'll fill up the commission delivered them in blance and dispatch the persons therein named or to be named with all speed to the Governor of Maryland if they can conveniently bee dispatched from thence and may have a speedy answer back again If the same cannot according as they find matters bee done better and more speedily from hence then to cause Mr Augustine Heermans with all speed to return hither to dispatch his commission from hence In the mean while they'll endeavour so much intelligence as in any ways is possible to good friend and at Beren Island for our and their use.

*A Commission for Augustine Heermans and Resolvent Waldron.*

Petrus Stuyvesant under their high and mightynesses the Lords states Generall of the United Netherlands and the Honourable gentlemen managers of the incorpo-

rated West India Company Director Generall of New Netherland Curacao Bonayro Aruba and the dependencys of the same and the Honourable gentlemen of the councill To all who shall hear see or read these presents greeting make known That wee have appointed qualified and authorised as by these presents wee do appoint qualife and authorize Messrs. Augustine Heermans and Resolvent Waldron as our faithful envoyes to address themselves unto the honorable Josias Fendall Governour of Maryland and after the delivery of a copy of these presents and of our letter in a friendly and neighbourly manner to desire of his honor the Restitution and Re-delivery of the servants as from time to time and since a year last past are fled out of the settlement of the high respectfull Lords governours of the city of Amsterdam and consequently out of this province for Debts and other matters, and as wee are informed for the most reside in his honours government the which doing to assure his honour on our part that for the Conservation of good justice and neighbourly duty wee'll doe the same with those that might desert unto us out of his or other neighbouring governments.

To the contrary in case his honour might take any exceptions delay or put of to these neighbourly offers and necessary affair to inform and make known to his honour and councill and all those whom it may in any ways concern that we lege-tionis will be obliged to publish and grant Liberty aboade free anes and Reces to all planters servants bought servants negroes included that now or hereafter shall or will come to us out of his honours government.

Secondly our aforesaid commissioners and Envoyes are to lay before the said Governor and his Council what has passed relating the arrival and coming of one Colonll Nathaniel Vtie in the said settlement of New Amstel—endeavouring to subborn and induce the subjects of their high and mightynesses to sedition and Rebellion against their lawful government and their own nation further without any lawfull act order or qualification produced of any state prins parliament or government only on a contrived silly paper in the form of an instructions without time or place where and when wrote nor by order of any state, prins parliament or government subscribed to demand and by refusal threatened with blood sheds the aforesaid forteress and settlement of New Amstel adding in case it was not willingly surrendered within three weeks to take and invade the said forteress with main force and hostility all which is directly contrary to the second third sixteenth and last articul of the confederacy and articles of peace between the republics of England and Netherland and made in the year one thousand six hundred and fifty-four, and whereas by the said contrived instructions delivered by the said Colonll Nathaniel Vtie to the honourable director and councill of the before mentioned settlement of New Amstel we cannot deduce nor have in view any superior authority or order for such seditions insinuations and seducing of the subjects from their leige lords and their own nation much less to the demanding and threatening of such places the indisputable right whereunto can be proved and shown by patent from the high and mighty Lords States General to the gentlemen managers of the incorporated West India Company and further by bills of sale and conveyances of the natives and the possession of more than forty years which therefore being an act against the right of Nations and against the above mentioned articles of peace made and hitherto religiously observed unto whose Judicature and decision all matters of difference if any might happen to come and arise between both nations must be first and before referred to the last article of the peace wherefore our said commissioners are especially authorized and charged in virtue of the often mentioned articles of peace seriously to desire of the aforesaid governor and his councill right and justice against the aforesaid Colonll Nathaniel Vtie with recompense for the charges wee have been at and hereafter



may be att on his frivolous demand and bloody threatenings for the conservation of our rights to the lands on the south river.

Further by this our open commission desiring that our said commissioners as our faithful envoys Augustine Heermans and Resolvent Waldron according to the right of Nations may be received heard and full faith given to them promising to ratify approve and hold for valid what by virtue of this commission shall be acted and done as if the same were passed by ourselves Thus done and given under our usual seal and signature at Amsterdam, in New Netherland the twenty third day of September, in the year 1659.

*From the N. Y. Com. Advertiser.*

#### THE MORRIS CANAL—INCLINED PLANE.

We resume the subject of our visit along the line of the Morris Canal. Leaving the plane at Bloomfield, we passed on towards the summit level—a part of the company striking directly across to the Little Falls of the Passaic, and a part taking Paterson in the way for dinner—of which number were we. By pursuing this route, we had ample opportunities to examine the works of the Canal. The excavation is handsomely done, the embankments wearing the appearance of solidity, and the towing path neatly finished. The canal winds its way through a fruitful and well cultivated country, preserving its level for seventeen miles from the plane at Bloomfield. When on a former occasion, two years since, we made a visit through this interesting section of country, of which we gave some account, the Contractors were just beginning to break the ground on the section of the canal where it winds round and partially crosses over the ridge of rocks in the neighbourhood of the great Passaic Falls. In order to preserve the level, a deep cut was necessary, for a distance of sixteen rods, through a blue trap rock exceedingly hard, compactly bedded in chrystals of a pyramidal formation. The necessity of this excavation, the hardness of the rock, and the high embankment required along the hill side east of it, all presented a discouraging spectacle. But the obstacles have been surmounted, and the deep cutting completed to the required average depth of sixteen feet. And from the banks of the canal, the line of which is about half way up the side of the mountain that bounds the valley of Paterson, a prospect meets the eye of a most interesting character. At the left, as you face eastward, the river, after running for some distance over a rocky den, leaps abruptly into a dark precipitous gulf, whence it runs off at its leisure, skirting the village of Paterson. At his feet the spectator looks over the bustling and thriving village, with its numerous and extensive factories, full of life and industry, while further in the distance he looks abroad upon the rich valleys of the Passaic and the Hackensack. Paterson itself seems to have been considerably extended and improved since our last visit in 1827. Several new factories have been erected, and the whole air of the place looked like health, business, and thrift.

Following the line of canal, the next formidable work is the aqueduct at the Little Falls of the Passaic. This great work, of which not a stone was laid, nor the preparations completed for laying the foundations at the period of our former visit, is nearly completed. It will be finished in a fortnight, and is the greatest work of the kind in this quarter of the world—that is, in either North or South America. By means of this aqueduct, the canal will be carried over a rocky gulf, by a single arch of hewn stone, of eighty feet span, and forty-five feet radius. The height of the superstructure from the base, is fifty feet six inches. The length of the aqueduct is one hundred and thirty-five feet. It is a noble structure, and the situation is strikingly interesting and picturesque. From the Falls, a few rods above, water power for mills and manufactories, is at hand, to any amount.

And these may be so located that boats can be laden and unladen, without a carrying place of a foot. This water power will not be lost: and a second Paterson, like the first, will, ere long, furnish a heavy carrying business for the canal.

Arriving at the tavern near Mead's basin, after visiting the wooden aqueduct by which the canal crosses the Pompton river, the party stopped for the night; and the forenoon of the following was spent examining what is called Miller's Plane, (from the name of the builder) at Pompton. The principle of this plane is somewhat different from that at Bloomfield, but it is not necessary to go into any farther minute descriptions—assuming that the principle of the inclined plane is established, and can no longer be regarded as an experiment. After dining at Montville, and ascending another plane, constructed still upon a different principle, the party embarked in a boat, and proceeded, on the canal, to the great plane at Booneton Falls. Our boat, filled with passengers, and heavily laden with stone, entered the car without stopping, and was steadily and beautifully raised by water power applied to the machinery of the plane, to the summit—a perpendicular height of eighty feet—over a plane of eight hundred feet in length. This was the fourth plane which we had ascended, each of which was constructed upon principles somewhat different, but all of which were successful. The first plane, however, at Bloomfield, struck us on the whole as the most perfect model.

The experiments, in the view of all the gentlemen of the party—and there were several of science, as well as of practical knowledge, gave the most perfect and entire satisfaction. For ourselves, we most fully believe, that while to overcome inconsiderable elevation locks may be retained, still, to overcome great heights, planes will hereafter be adopted: and the Morris Canal will have the credit of introducing an improvement which is to have a very important bearing on the prosperity of our country, and indeed of all countries, where the governments have sufficient wisdom, and the people sufficient enterprise, to apply the means supplied by Providence for improving their resources by opening channels of intercommunication. For, if planes, which can be constructed with so much facility, and comparatively at so small an expense, will answer the same purpose, canals will now be made, where, if planes had not succeeded, they would not, and could not, have been thought of. Fulton predicted that canals would one day wind round every hill and run through every valley. He might have added—'and climb every mountain.' And this will be true as to every hill on the summit of which there is sufficient water. And a sufficiency of water for planes constructed according to that at Bloomfield, will be less than is required of any other plan of canal navigation hitherto devised by the wit of man.

We have just adverted to the disparity of expense between locks and inclined planes. The locks on the Erie Canal cost 1100 dollars for every foot of ascent. The cheapest lock cannot be built for less than 400 dollars per foot. An inclined plane, we are informed, and believe, may be built for 150 dollars the foot, and can be managed with as much ease and facility, and at as little expense, as a lock. At the Bloomfield plane, one man conducts the whole operation of passing two boats, without moving out of a circle of ten feet. The economy of substituting planes for locks, is much greater in proportion than that of money. It must be recollected that in seven minutes, two boats, that is, one up and the other down, were passed over the Bloomfield plane of 52 feet, and this when there was an inadequate supply of water on the water-wheel; a scanty quantity having been taken from an adjacent mill brook. The water of the canal cannot reach this plane till the great aqueduct is finished. With a head of four feet of water, which there will be when the canal is full, (instead of 21 inches, which is all there was over the wheel when the experiments were lately made,) there is no doubt

that two full loaded boats may be passed over this place in five minutes. Now to pass a boat through a common ten foot lock, will require at least eight minutes, that is, reckoning from the taking off the horse, to the time of putting him in again. To pass one boat up and another down by a lock, will require 16 minutes. At least five locks would be necessary to overcome 52 feet, which, instead of five minutes, would require an hour and twenty minutes. Thus the difference between locks and planes, is in favour of planes as about 1 to 3, as to expense, and as to time, 1 to 16.

The Morris Canal will be navigated by locks as well as planes. Though the planes can do much more than locks, the capacity of the Canal as to the trade it can pass, must be limited by the capacity of the locks.—Eight boats can pass a lock in an hour; 168 in 24 hours; and 46,000 in 285 navigable days. The boats on this canal will be 25 tons each. Of course the tonnage which may pass on the canal in an hour, will be 1,150,000. Take only the half of this as the capacity of the canal, or say that its capacity is equal only to 500,000 tons, and that for the passage of this, the company, instead of receiving three cents per mile a ton, which they are allowed to charge by their charter, take only one cent a mile per ton, and this would afford a revenue so large we fear to state it, lest it should look like exaggeration.

The great fete given in honor of Gen. Howe, by the British officers, has probably been heard of by many of our readers, although few of them have seen so detailed an account of that fete as is contained in the following letter, from a person present: which we copy from the "Annual Register," for 1778. The house in which these events occurred, was at that time we believe owned by the Wharton family, but is now occupied as the Asylum for the poor children, under the care of the Guardians of the Poor, in south Fifth st. near Federal st.—an useful and interesting institution.

**PARTICULARS OF THE MISCHIANZA,**  
EXHIBITED IN AMERICA AT THE DEPARTURE OF GEN.  
HOWE.

*Copy of a Letter from an Officer at Philadelphia to his Correspondent in London.*

PHILADELPHIA, May 23, 1778.

For the first time in my life I write to you with unwillingness. The ship that carries home Sir William Howe will convey this letter to you; and not even the pleasure of conversing with my friend can secure me from the general dejection I see around me, or remove the share I must take in the universal regret and disappointment which his approaching departure hath spread throughout the whole army. We see him taken from us at a time when we most stand in need of so skilful and popular a commander; when the experience of three years, and the knowledge he hath acquired of the country and people, have added to the confidence we always placed in his conduct and abilities. You know he was ever a favourite with the military; but the affection and attachment which all ranks of officers in this army bear him, can only be known by those who have at this time seen them in their effects. I do not believe there is upon record an instance of a Commander in Chief having so universally endeared himself to those under his command; or of one who received such signal and flattering proofs of their love. That our sentiments might be the more universally and unequivocally known, it was resolved amongst us, that we should give him as splendid an entertainment as the shortness of the time, and our present situation would allow us. For the expenses, the whole army would have most cheerfully contributed; but it was requisite to draw the line somewhere, and twenty-two field officers joined in a subscription adequate to the plan they meant to adopt. I know

your curiosity will be raised on this occasion; I shall therefore give you as particular an account of our *Mischianza* as I have been able to collect. From the name you will perceive that it was made up of a variety of entertainments. Four of the gentlemen subscribers were appointed managers—Sir John Wrottesley, Col. O'Hara, Major Gardiner, and Montresor, the chief engineer. On the tickets of admission, which they gave out for Monday the 18th, was engraved, in a shield, a view of the sea, with the setting sun, and on a wreath, the words *Luceo di cedens, aucto splendore resurgam*. At top was the General's crest, with *vive ca!* All round the shield rana vignette, and various military trophies filled up the ground. A grand regatta began the entertainment. It consisted of three divisions. In the first was the Ferret galley, having on board several General Officers, and a number of Ladies. In the centre was the Hussar galley, with Sir William and Lord Howe, Sir Henry Clinton, the officers of their suite, and some Ladies. The Cornwallis galley brought up the rear, having on board, Gen. Knyphausen and his suite, three British Generals, and a party of ladies. On each quarter of these galleys, and forming their division, were five flat boats, lined with green cloth, and filled with ladies and gentlemen. In front of the whole were three flat boats, with a band of music in each. Six barges rowed about each flank, to keep off the swarm of boats that covered the river from side to side. The galleys were dressed out in a variety of colours and streamers, and in each flat boat was displayed the flag of its own division. In the stream opposite the centre of the city, the Fanny armed ship, magnificently decorated was placed at anchor, and at some distance ahead lay his Majesty's ship Roebuck, with the Admiral's flag hoisted at the fore-top-mast-head. The transport ships, extending in a line the whole length of the town, appeared with colours flying, and crowded with spectators, as were also the openings of the several wharfs on shore, exhibiting the most picturesque and enlivening scene the eye could desire. The rendezvous was at Knight's Wharf, at the northern extremity of the city. By half after four the whole company were embarked, and the signal being made by the Vigilant's manning ship, the three divisions rowed slowly down, preserving their proper intervals, and keeping time to the music that led the fleet. Arrived between the Fanny and the Market Wharf, a signal was made from one of the boats a-head, and the whole lay upon their oars, while the music played *God save the King*, and three cheers given from the vessels were returned from the multitude on shore. By this time the flood tide became too rapid for the galleys to advance; they were therefore quitted, and the company disposed of in the different barges. This alteration broke in upon the order of procession, but was necessary to give sufficient time for displaying the entertainment that was prepared on shore.

The landing place was at the Old Fort, a little to the southward of the town, fronting the building prepared for the reception of the company, about 400 yards from the water by a gentle ascent. As soon as the General's barge was seen to push for the shore, a salute of 17 guns was fired from the Roebuck, and, after some interval, by the same number from the Vigilant. The company, as they disembarked, arranged themselves into a line of procession, and advanced through an avenue formed by two files of grenadiers, and a line of light-horse supporting each file. This avenue led to a square lawn of 150 yards on each side, lined with troops, and properly prepared for the exhibition of a tilt and tournament, according to the customs and ordinances of ancient chivalry. We proceeded through the centre of the square. The music, consisting of all the bands of the army, moved in front. The managers, with favours of blue and white ribbons in their breasts, followed next in order. The General, Admiral, and the rest of the company, succeeded promiscuously.

In front appeared the building, bounding the view



through a vista formed by two triumphal arches, erected at proper intervals in a line with the landing place. Two pavilions, with rows of benches, rising one above the other, and serving as the advanced wings of the first triumphal arch, received the ladies, while the gentlemen ranged themselves in convenient order on each side. On the front seat of each pavilion were placed seven of the principal young ladies of the country, dressed in Turkish habits, and wearing in their turbans the favours with which they meant to reward the several Knights who were to contend in their honor. These arrangements were scarce made when the sound of trumpets was heard at a distance; and a band of Knights, dressed in ancient habits of white and red silk, and mounted on gray horses, richly caparisoned in trappings of the same colours, entered the lists, attended by their Esquires on foot, in suitable apparel, in the following order:—Four trumpeters, properly habited, their trumpets decorated with small pendent banners—A herald in his robes of ceremony; on his tunic was the device of his band, two roses intertwined, with the motto, "*We droop when separated.*"

Lord Cathcart, superbly mounted on a managed horse, appeared as chief of these Knights; two young black slaves, with sashes and drawers of blue and white silk, wearing large silver clasps round their necks and arms, their breasts and shoulders bare, held his stirrups. On his right hand walked Capt. Hazard, and on his left Capt. Brownlow, his two Esquires, one bearing his lance, the other his shield.

His device was Cupid riding on a Lion; the motto, "*Surmounted by Love.*" His Lordship appeared in honor of Miss Auchmuty.

Then came in order the Knights of his band, each attended by his Squire bearing his lance and shield.

1st Knight, Hon. Capt. Cathcart, in honor of Miss N. White. Squire, Captain Peters. Device a Heart and Sword; motto, "*Love and Honour.*"

2d Knight, Lieut. Hygrove, in honor of Miss Craig. Squire, Lieut. Nicolls. Device, Cupid tracing a circle; motto, "*Without end.*"

3d Knight, Capt. Andre, in honor of Miss P. Chew. Squire, Lieut. Andre. Device, two Gamecocks fighting; motto, "*No Rival.*"

4th Knight, Capt. Horneck, in honor of Miss N. Redman. Squire, Lieut. Talbot. Device, a burning Heart; motto, "*Absence cannot extinguish.*"

5th Knight, Capt. Matthews, in honor of Miss Bond. Squire, Lieut. Hamilton. Device, a winged heart; motto, "*Each Fair by Turn.*"

6th Knight, Lieut. Sloper, in honor of Miss M. Shippen. Squire, Lieut. Brown. Device, a Heart & Sword; motto, "*Honour and the Fair.*"

After they had made the circuit of the square, and saluted the ladies as they passed before the pavilions, they ranged themselves in a line with that in which were the Ladies of their Device; and their Herald (Mr. Beaumont), advancing into the centre of the square, after a flourish of trumpets, proclaimed the following challenge:

"The Knights of the Blended Rose, by me, their Herald, proclaim and assert, that the Ladies of the Blended Rose excel in wit, beauty, and every accomplishment, those of the *whole world*; and should any Knight or Knights be so hardy as to dispute or deny, they are ready to enter the lists with them, and maintain their assertions by deeds of arms, according to the laws of ancient chivalry."

At the third repetition of the challenge, the sound of trumpets was heard from the opposite side of the square; and another Herald, with four Trumpeters, dressed in black and orange, galloped into the lists. He was met by the Herald of the Blended Rose, and after a short parley they both advanced in front of the pavilions, when the Black Herald (Lieut. More) ordered his trumpets to sound, and then proclaimed defiance to the challenge in the following words:

"The Knights of the Burning Mountain present themselves here, not to contest by words, but to disprove by deeds, the vain-glorious assertions of the Knights of the Blended Rose, and enter these lists to maintain, that the Ladies of the Burning Mountain are not excelled in beauty, virtue, or accomplishments, by any in the universe."

He then returned to the part of the barrier through which he had entered; and shortly after the Black Knights, attended by their Squires, rode into the lists in the following order:

Four Trumpeters preceding the Herald, on whose tunic was represented a mountain, sending forth flames; motto, "*I burn for ever.*"

Captain Watson, of the guards as Chief, dressed in a magnificent suit of black and orange silk, and mounted on a black managed horse, with trappings of the same colours with his own dress, appeared in honour of Miss Franks. He was attended in the same manner as Lord Cathcart. Capt. Scot bore his lance, and Lieut. Lytton his shield. The Device, a Heart, with a Wreath of Flowers; motto, "*Love and Glory.*"

1st Knight, Lieut. Underwood, in honour of Miss S. Shippen. Squire, Ensign Haverkam. Device, a Pelican feeding her young; motto, "*For those I love.*"

2d Knight, Lieut. Winyard, in honour of Miss P. Shippen. Squire, Capt. Boscawen. Device a Bay-leaf; motto, "*Unchangeable.*"

3d Knight, Lieut. Delavel, in honour of Miss B. Bond. Squire, Capt. Thorne. Device, a Heart, aimed at by several arrows, and struck by one; motto, "*One only pierces me.*"

4th Knight, Monsieur Montluissant (Lieutenant of the Hessian Chasseurs), in honour of Miss B. Redman. Squire, Capt. Campbell. Device, a Sun-flower turning towards the Sun; motto, "*Je vise a vous.*"

5th Knight, Lieut. Hobbart, in honour of Miss S. Chew. Squire, Lieut. Briscoe. Device, Cupid piercing a Coat of Mail with his Arrow; motto, "*Proof to all but Love.*"

6th Knight, Brigade-Major Tarlton, in honour of Miss W. Smith. Squire, Ensign Heart. Device, a Light-Dragoon; motto, "*Swift, vigilant, and bold.*"

After they had rode round the lists, and made their obeisance to the ladies, they drew up fronting the white Knights; and the Chief of these having thrown down his gauntlet, the Chief of the Black Knights directed his Esquire to take it up. The Knights then received their lances from their Esquires; fixed their shields on their left arms, and making a general salute to each other, by a very graceful movement of their lances, turned round to take their career, and, encountering in full gallop, shivered their spears. In the second and third encounter they discharged their pistols. In the fourth they fought with their swords. At length the two Chiefs, spurring forward into the centre, engaged furiously in single combat, till the Marshal of the Field (Major Gwyne) rushed in between the Chiefs, and declared that the Fair Damsels of the Blended Rose and Burning Mountain were perfectly satisfied with the proofs of love, and the signal feats of valour given by their respective Knights; and commanded them, as they prized the future favours of their Mistresses, that they would instantly desist from further combat. Obedience being paid by the Chiefs to this order, they joined their respective bands. The White Knights and their attendants filed off to the left, the Black Knights to the right; & after passing each other at the lower side of the quadrangle, moved up alternately, till they approached the pavilions of the Ladies, when they gave a general salute.

A passage being now opened between the two pavilions, the Knights, preceded by their Squires and the bands of music, rode through the first triumphal arch, and arranged themselves to the right and left.—This arch was erected in honour of Lord Howe. It presents two fronts, in the Tuscan order; the pediment was

adorned with various naval trophies, and at top was the figure of Neptune, with a trident in his right hand. In a niche, on each side, stood a Sailor with a drawn cutlass. Three plumes of feathers were placed on the summit of each wing, and in the entablature was this inscription: *Læus illi debetur, et alme gratia major.* The interval between the two arches was an avenue 300 feet long, and 34 broad. It was lined on each side with a file of troops; and the colors of all the army, planted at proper distances, had a beautiful effect in diversifying the scene. Between these colours the Knights and Squires took their stations. The Bands continued to play several pieces of martial music. The company moved forward in procession, with the Ladies in the Turkish habits in front, as these passed, they were saluted by their Knights, who then dismounted and joined them: and in this order we were all conducted into a garden that fronted the house, through the second triumphal arch, dedicated to the General. This arch was also built in the Tuscan order. On the interior part of the pediment was painted a plume of feathers, and various military trophies. At top stood the figure of Fame, and in the entablature this device, — *I, bone, quo, virtus tua te vocet; I pede fausto.* On the right hand pillar was placed a bomb-shell, and on the left a flaming heart. — The front next the house was adorned with preparations for a fire-work. From the garden we ascended a flight of steps, covered with carpets, which led into a spacious hall; the pannels, painted in imitation of Siena marble, enclosing festoons of white marble: the surbase, and all below, was black. In this hall, and in the adjoining apartments, were prepared tea, lemonade, and other cooling liquors, to which the company seated themselves; during which time the Knights came in, and on the knee received their favours from their respective Ladies. One of these rooms was afterwards appropriated for the use of the Pharaoh table; as you entered it you saw, on a pannel over the chimney, a Cornucopia, exuberantly filled with flowers of the richest colours; over the door, as you went out, another presented itself, shrunk, reversed, and emptied.

From these apartments we were conducted up to a ball-room, decorated in a light elegant style of painting. The ground was a pale blue, pannelled with a small gold bead, and in the interior filled with dropping festoons of flowers in their natural colours. Below the surbase the ground was of rose-pink, with drapery festooned in blue. These decorations were heightened by 85 mirrors, decked with rose-pink silk ribbands, and artificial flowers; and in the intermediate spaces were 34 branches with wax-lights, ornamented in a similar manner.

On the same floor were four drawing rooms, with sideboards of refreshments, decorated and lighted in the same style and taste as the ball-room. The ball was opened by the knights and their ladies; and the dances continued till ten o'clock, when the windows were thrown open, and a magnificent bouquet of rockets began the fire-works. These were planned by Capt. Montresor, the chief engineer, and consisted of twenty different exhibitions, displayed under his direction, with the happiest success, and in the highest style of beauty. Towards the conclusion, the interior part of the triumphal arch was illuminated amidst an uninterrupted flight of rockets and bursting of balloons. The military trophies on each side assumed a variety of transparent colours. The shell and flaming heart on the wings sent forth Chinese fountains, succeeded by fire-pots. Fame appeared at top, spangled with stars, and from her trumpet blowing the following device in letters of light, *Tes Lauriers sont immortels.* — A sauteur of rockets, bursting from the pediment, concluded the *feu d'artifice*.

At twelve supper was announced, and large folding doors, hitherto artfully concealed, being suddenly thrown open, discovered a magnificent saloon of 210 feet by 40, and 22 feet in height, with three alcoves on each side,

which served for sideboards. The ceiling was the segment of a circle, and the sides were painted of a light straw-colour, with vine leaves and festoon flowers, some in a bright, some in a darkish green. Fifty-six large pier-glasses, ornamented with green silk artificial flowers and ribbons; 100 branches with three lights in each, trimmed in the same manner as the mirrors; 18 lustres, each with 24 lights, suspended from the ceiling, and ornamented as the branches; 300 wax tapers, disposed along the supper tables; 430 covers, 1200 dishes; 24 black slaves, in oriental dresses, with silver collars and bracelets, ranged in two lines, and bending to the ground as the General and Admiral approached the saloon: all these, forming together the most brilliant assemblage of gay objects, and appearing at once as we entered by an easy descent, exhibited a *coup d'oeil* beyond description magnificent.

Towards the end of supper, the herald of the Blend-Rose, in his habit of ceremony, attended by his trumpets, entered the saloon, and proclaimed the King's health, the Queen, and royal family, the army and navy, with their respective commanders, the knights and their ladies, the ladies in general: each of these toasts was followed by a flourish of music. After supper we returned to the ball-room, and continued to dance till four o'clock.

Such, my dear friend, is the description, though a very faint one, of the most splendid entertainment, I believe, ever given by an army to their general. But what must be most grateful to Sir W. Howe, is, the spirit and motives from which it was given. He goes from this place to-morrow; but, as I understand he means to stay a day or two with his brother on board the Eagle at Billingsport, I shall not seal this letter till I see him depart from Philadelphia.

Sunday 24th. I am just returned from conducting our beloved general to the water-side, and have seen him receive a more flattering testimony of the love and attachment of his army, than all the pomp and splendor of the *Mischianza* could convey to him. I have seen the most gallant of our officers, and those whom I least suspected of giving such instances of their affection, shed tears while they bade him farewell. The gallant and affectionate general of the Hessians, Knyphausen, was so moved, that he could not finish a compliment he began to pay him in his own name and that of his officers who attended him. Sir Henry Clinton attended him to the wharf, where Lord Howe received him into his barge, and they are both gone down to Billingsport. On my return I saw nothing but dejected countenances.

Adieu, &c.

#### FIRST FRENCH MINISTER TO U. STATES.

*From the London Annual Register of 1778.*

An Account of the Ceremony observed at the first Audience given to Monsieur Gerard, Minister Plenipotentiary from the French King to the Rebel Colonies, by their General Congress; a Copy and Translation of the French King's Letter to them, his Minister's Speech in Congress, with their Reply by the President.

*Philadelphia, August 11.*

Last Thursday being the day appointed by Congress for the audience of the Sieur Gerard, Minister Plenipotentiary from his most Christian Majesty, that Minister received audience accordingly. In pursuance of the ceremonial established by Congress, the Hon. Richard Henry Lee, Esq. one of the delegates from Virginia, and the Hon. Samuel Adams, Esq. one of the delegates from Massachusetts-bay, in a coach and six, provided by Congress, waited upon the Minister at his house. In a few minutes the Minister and the two delegates entered the coach, Mr. Lee placing himself at the Minister's left hand, on the back seat, Mr. Adams occupying the front seat; the Minister's chariot being behind, received his secretary. The carriages being arrived at the state

house in this city, the two members of Congress, placing themselves at the Minister's left hand, a little before one o'clock, introduced him to his chair in the Congress chamber; the President and Congress sitting, the Minister being seated, he gave his credentials into the hands of his Secretary, who advanced and delivered them to the President. The Secretary of Congress then read and translated them; which being done, Mr. Lee announced the Minister to the President and Congress; at this time the President, the Congress, and the Minister, rose together: he bowed to the President and the Congress; they bowed to him: whereupon the whole seated themselves. In a moment, the Minister rose and made a speech to Congress, they sitting. The speech being finished, the Minister sat down, and, giving a copy of his speech to his Secretary, he presented it to the President. The President and Congress then rose, and the President pronounced their answer to the speech, the Minister standing. The answer being ended, the whole were again seated, and, the President giving a copy of the answer to the Secretary of Congress, he presented it to the Minister. The President, the Congress, and Minister, then again rose together: the Minister bowed to the President, who returned the salute, and then to the Congress, who also bowed in return; and, the Minister having bowed to the President, and received his bow, he withdrew, and was attended home in the same manner in which he had been conducted to the audience.

Within the bar of the House, the Congress formed a semicircle on each side of the President and the Minister: the President sitting at one extremity of the circle, at a table upon a platform, elevated two steps; the Minister sitting at the opposite extremity of the circle, in an arm chair, upon the same level with the Congress. The door of the Congress chamber being thrown open, below the bar, about 200 gentlemen were admitted to the audience, among whom were the Vice-president of the Supreme Executive Council of Pennsylvania, the Supreme Executive Council, the Speaker, and members of the House of Assembly, several foreigners of distinction, and officers of the army.

The audience being over, the Congress and the Minister, at a proper hour, repaired to an entertainment given by Congress to the Minister; at which were present, by invitation, several foreigners of distinction, and gentlemen of public character. The entertainment was conducted with a decorum suited to the occasion, and gave perfect satisfaction to the whole company.

*In Congress, August 6, 1778.*

According to order, the honourable the Sieur Gerard being introduced to an audience by the two members for that purpose appointed, and being seated in his chair, his Secretary delivered to the President a letter from his most Christian Majesty, which was read in the words following:

Very dear great friends and allies:

The treaties which we have signed with you, in consequence of the proposals your Commissioners made to us in your behalf, are a certain assurance of our affection for the United States in general, and for each of them in particular, as well as of the interest we take, and constantly shall take, in their happiness and prosperity. It is to convince you more particularly of this, that we have nominated the Sieur Gerard, Secretary of our Council of State, to reside among you in the quality of our Minister Plenipotentiary; he is the better acquainted with our sentiments towards you, and the more capable of testifying the same to you, as he was entrusted on our part to negotiate with your commissioners, and signed with them the treaties which cement our union. We pray you to give full credit to all he shall communicate to you from us, more especially when he shall assure you of our affection and constant friendship for you. We pray God, very dear great friends and allies, to

have you in his holy keeping. Your good friend and ally.

[Signed]

LOUIS.

*Versailles, March 28, 1778.*

[Undersigned]

GRAVIER DE VERGENNES.

(Directed)

To our very dear great Friends, the President and Members of the General Congress of North America.

The Minister was then announced to the President and the House, whereupon he arose and addressed Congress in the speech, which, when he had finished, his Secretary delivered the same in writing to the President as follows:

Gentlemen,

The connexion formed by the King, my master, with the United States of America, is so agreeable to him, that he could no longer delay sending me to reside among you, for the purpose of cementing it. It will give his Majesty great satisfaction to learn, that the sentiments, which have shone forth on this occasion, justify that confidence with which he hath been inspired, by the zeal and character of the Commissioners of the United States in France, the wisdom and fortitude which have directed the resolutions of Congress, and the courage and perseverance of the people they represent; a confidence which you know, gentlemen, has been the basis of that truly amicable and disinterested system, on which he hath treated with the United States.

It is not his Majesty's fault that the engagements he hath entered into did not establish your independence and repose, without the further effusion of blood, and without aggravating the calamities of mankind, whose happiness it is his highest ambition to promote and secure. But, since the hostile measures and designs of the common enemy have given to engagements, purely eventual, an immediate, positive, permanent, and indissoluble force, it is the opinion of the King, my master, that the allies should turn their whole attention to fulfil those engagements in the manner most useful to the common cause, and best calculated to obtain that peace which is the object of the alliance.

It is upon this principle his Majesty hath hastened to send you a powerful assistance, which you owe only to his friendship, to the sincere regard he has for every thing which relates to the advantage of the United States, and to his desire of contributing with efficacy to establish your repose and prosperity upon an honourable and solid foundation. And, further, it is his expectation that the principles, which may be adopted by the respective governments, will tend to strengthen those bonds of union, which have originated in the mutual interest of the two nations.

The principal object of my instructions, is, to connect the interests of France with those of the United States. I flatter myself, gentlemen, that my past conduct in the affairs which concern them, hath already convinced you of the determination I feel to endeavour to obey my instructions in such manner as to deserve the confidence of Congress, the friendship of its members, and the esteem of the citizens of America.

GERARD.

To which the President was pleased to return the following answer:

SIR,—The treaties between his most Christian Majesty and the United States of America, so fully demonstrate his wisdom and magnanimity, as to command the reverence of all nations. The virtuous citizens of America in particular can never forget his beneficent attention to their violated rights; nor cease to acknowledge the hand of a gracious Providence in raising them up so powerful and illustrious a friend. It is the hope and opinion of Congress, that the confidence his Majesty reposes in the firmness of these States will receive additional strength from every day's experience.

This assembly are convinced, Sir, that, had it rested solely with the most Christian King, not only the independence of these States would have been universally acknowledged, but their tranquillity fully established. We lament that lust of domination, which gave birth to the present war, and hath prolonged and extended the miseries of mankind. We ardently wish to sheathe the sword, and spare the further effusion of blood; but we are determined, by every means in our power, to fulfil those eventual engagements which have acquired positive and permanent force from the hostile designs and measures of the common enemy.

Congress have reason to believe, that the assistance so wisely and generously sent, will bring Great Britain to a sense of justice and moderation, promtge the common interests of France and America, and secure peace and tranquillity on the most firm and honourable foundation. Neither can it be doubted, that those who administer the powers of government within the several States of this Union, will cement that connexion with the subjects of France, the beneficial effects of which have already been so sensibly felt.

Sir, from the experience we have had of your exertions to promote the true interests of our country, as well as your own, it is with the highest satisfaction Congress receive, as the first Minister from his most Christian Majesty, a gentleman, whose past conduct affords a happy presage that he will merit the confidence of this body, the friendship of its members, and the esteem of the citizens of America.

HENRY LAURENS, Pres.

IN CONGRESS, Aug. 6, 1778.

The Secretary of Congress then delivered to the Minister a copy of the foregoing reply, signed as above; whereupon the Minister withdrew, and was conducted home in the manner in which he was brought to the House.

Extract from the minutes.

CHARLES THOMSON, Sec'y.

The following letters were copied a few years since from the originals then in possession of a gentleman of this city.

#### INSTRUCTIONS FROM WM. PENN TO ROBERT TURNER.

1st Thou art to inform ye General assembly of west Jearsey yt thou art commissioned by me & my Council to treat with ym in reference to several things of moment relating to ye greater union and good understanding of this and yt Governmt.

2dly When Admitted to them present thy Commission to be read for thy authority wch receive again, and procede to particulars.

3dly. Lett ym know yt we are preparing a Bill for a Law to make ye Warrants and Huc and Cryes of ye magistrates of yt Colony effectual to all officers in this Province and Territories ag't all offenders, especially Fellows and Runaway Servants, and such as commit heinous misdemeanors to ye affront of authority, and upon Condition yt they will do the like. a thing of great importance on both Sides of ye River.

4thly That after ye Discharge of my Duty wth sincere affection much Contest and Expence of Time and Estate, in endeavouring on my part to make good and confirm ye first Grant, and for not joining with E. B. in Instruments to contradict and destroy their Right, I am represented in England as a Firebrand from some intelligence gone thither from Jearsey whilst I never concerned myself in their affairs after I came into ye Country till I was besett with untrue and unkind Reflections as one not keeping my word with yt People in relation to ye Purchase; That I do desire ye Assembly will do me yt Justice as to purge me from yt unworthy Scandal, whispered and fomented by those yt cannot have their Lusts on you or me.

5thly. That for ye Support of ye Governmt. in its various Charges in this Province a Bill is prepared of an Imposition upon strong Spirits and Liquors by ye Gallon, Rum, Brandy, and Spirits one Shilling, wine six Pence, Syder, strong mault Beer and mum two Pence wch seemeth ye most insensible way to supplye wants of our Govern't for ye Rich and ye Drunkard will be most concern'd in it. Press ym by all means to make ye same Law on their Side, both yt their own affaires need it, and our Law will signifie little without it: in wch take notice of all dry Goods, Indian and other, and all Provisions imported are free; as also ye Growth of ye Country exported.

This will be a Tryal of their affection to us, and me in particular: Of all which be very distinct, particular & free with ym and so I heartily wish thee good success. Given at Philadelphia ye 31st of of ye 1st mo. 1684

WM. PENN.

*Extract from a Letter from W. Penn to Robert Turner, dated Lond. 24th 2d mo. 1686.*

"I take notice of wt thou sayst about Poor not labourers—I shall not encourage such.

"Be kinde to new Commers, suppress vice and cherish virtue. The King has pardon Frds. and they are generally releast. things work towards Indulgence here for ye present.

The K. of France very ill, an hand of god upon him, a stenchy f-s-t-l- yt ever since his violent usage of the poor Protest's. has followed him; for tho' they hunt much devotion, yet he has been barbarous, and god hates persecution."

The above Letter is directed

"For my esteemed Friend Robt. Turner in Philadelphia.

*Extract from a Letter from W. Penn to Robt. Turner, without date, but endorsed "Rec'd 18, 7mo. 1687."*

"My present Condition, either as to my private affaires, or ye publick, in wch I have had no little Concern of late, at present are a stop to me. Frds unwilling & ye K. and some of his ministers not very enclinable to part wth me till this Liberty of Conscience be established by a repeal of all thos Laws ye K. has so tenderly suspended: but this to thy selfe. I send T. Lloyd for Frds ye Declaration, some addresses, and pamphlets written on this occasion, for ye Information, to wch I refer thee.

"Meetings never larger nor better: a blessed Gen'l meeting this year."

Directed "For Robt. Turner

one of the Com's of state of ye

Province of Pennsylvania

at Philadelphia."

WINNSON the 18th 7mo. '88.

Dear Friends, I salute you with that Love with which I ever loved you; and in that truth which is not given to Change, and that has begotten in my heart a reall concern for your welfare and happiness every way; and I hope your regard and affection is the same to me and the prosperity of my poor family as in former times, for it would be no little Sorrow to me to hear any thing of time or distance having weakened your zeal and love towards me and myn.

I have been afraid least my long (and the Lord knows unwilling) Stay should be lookt upon as slighting of you, now I was not like to gett a fresh by you, and so might direct my designes to an home advantage, and leave you to struggle with the roughness of a remote wilderness; but the lord god almighty knows the sorrow, the expence, the hazard yt attends my absence from you, and yt my prayers are most fervently, with a bowed soul often powred forth to him that he would clear and help my way towards you, with whom I should rejoyce to live and dye: wherefore dear Friends, lett not your heart faile, nor yr love decay, but lett yr care

be that yt poor Province be not prejudiced any way by my absence, all yt is possible in you; and endeavor to sweeten all things, and with the meekness of Moses, the Patience of Job to be good example to yt people. I have considered your hard task and the Rubs the worldly Spirit puts in your way, yt despises dignities, and for your ease have appointed yt is not a Friend, but a grave sober wise man to be Gover'r in my absence, he married old G'll Lamberts Daughter, was treasur'r to ye commonwealths army in England, Scotland and Ireland, I suppose independent in Judgement; lett him see wt he can doe a while I have ordered him to confer in private with you, and square himself by your advice, but bear down with a visible authority vice and faction, yt it may not look a partiality in frds or other then should be to act as they have done; and if he do not please you, he shall be layd aside; for I do it not yt I am displeased with your care, or service, quite the contrary. If in any thing you have differed from my servise, It is I believe, because you thought it best for ye Gen'll Service. I desire you to receive this person with Kindness and lett himse it, & use his not being a Friend to Friends advantage. But you must know I have a rough people to deal with about my quit rents yt yet cant pay a ten pound Bill, but draw, draw, draw still upon me and it being his Talent to regulate and sett things in method easy and just, I have pitched upon him to advise therein. he has a mighty respect of all sorts of honest people where he has inhabited, which with my own knowledge has made me venture upon him: I had yr lett'r by E. Blackfann. I have in myn to Tho. Loyd communicated my minde about Joseph Growdens business and other matters, but I will add, yt the Assembly, as they call themselves, is not so, without Gov'r and P. Council, and yt no Speaker Clarke or book belong to ym that ye people have their representatives in ye Pro. Councell to prepare, and ye Assembly as it is called, has only the power of I or no, yea or nay. If they turn debators, or Judges, or complainers, you overthrow the Charter quite in the very root of ye constitution of it, for yt is to usurp ye P. councils part in ye Charter and to fufit ye Charter itself: here would be two assemblys and two representatives, wheras they are but one, to two works, one prepares and proposes, the other assents or deny's—the negative voyce is by yt in them, and yt is not a debating, mending, altering, but an accepting pow'r. minde this I intreat you, yt all fall not to pieces.

For Jos. Gowden's pleading equity ye land, ye charter equity is not concerned ther, for ye notion of estates in law and equity shows he is mistaken; has he an equity to more than is due? then where is my right yt he has an equity to wt is myn. I am m'r of my own, and yt he must know. Next, for wt Tho. Fairman says about measuring his land and leaving a piece by my order I renounce it, I never gave him such an order, I love no unfair thing, and for large quantitys of lands I am contented they should keep ym yt have ym if they will sell at a moderate rate to new comers, else it closes up the country from Planters, which hearts the whole.

For news, I will send all by Ed. Blackfan. ye writts issue out to-day. a Parl. sett's in 9mo. the King promesses to exclude ye R. Catholics from Parl. rather than ye liberty of conscience by a law. fears of war with Holland. the Lord order all for his glory, who is worthy forever.

I am  
your reall and affect. Friend

WM. PENN

The Gover'r is called Captain Blackwell he commanded in ye beginning of ye wars ye famous maiden-troop. farewell my d'r love to your Familys. Frds as if named and the People.

☞ The Direction of the above is wanting.

We invite the attention of our readers to the following excellent remarks of our respected citizen on Education.

VOL. IV.

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### SERGEANT'S DISCOURSE.

A Discourse delivered before the Trustees, Faculty, and Students, of Rutgers College, at New Brunswick, (N. J.) on Tuesday, the 14th of July, 1829, the day preceding the Annual Commencement. By John Sergeant, LL. D. Honorary Member of the Philoclean Society.

*Gentlemen of the Philoclean  
and Peithessophian Societies!*

The occasion which has brought us together is calculated to awaken earnest and anxious reflection. Youth is the season of preparation for manhood. In a short time, those who are in a course of training for the duties of life, will, in the order of Providence, succeed to the charge which is now borne by their seniors; and distributed among the varied employments of social and civilized existence, be called by their own strength, each in his allotted sphere, to sustain, preserve, and improve the advantages which are derived to them from their predecessors. To fit them for the task which is thus to devolve upon them, is the design of all education.

In what manner, and by what means this great design may be most effectually accomplished—what are the methods most likely to aid in forming a wise and virtuous man, an honest and useful citizen, is a question of great interest, which cannot be too deeply pondered. An eminent man of antiquity has remarked, with equal beauty and force, that “a state without youth, would be like a year without the Spring.” But what avails the Spring, if its blossoms perish without producing fruit or seed? If sporting for a while in the gaiety of the season, and charming the senses with their bloom and fragrance, they disappoint the hope which forms their greatest value, and dwindle, fade and die, as if they had never been?

The insect obeys the law of its ephemeral existence; it spreads its wings in the sunshine, rejoices in a moment of life, and then flutters and disappears. The brute animal is governed by its appetites, and guided by its instinct. It is neither acquainted with its faculties, nor capable of improving them. The individual and the species, for successive generations, move on in their appointed course, without undergoing any sensible change, as little subject to degeneracy from any neglect or folly of their own, as they are able, by their own efforts, to exalt or improve their nature. They live, and they die—they sink into inanimate matter, and are lost in the uninformed mass.

But man is endowed by his Maker with moral and intellectual powers, which not only distinguish him from all the visible creation, but absolutely separate him from any affinity with it. His bodily frame is dust, fearfully and wonderfully made; but still a portion of inanimate matter, which cleaves to the ground! His bodily powers, his sensual passions and appetites have their dwelling upon the earth; in common with the animal creation. His intellect—his power of “large discourse, looking before and after,”—aspires to communion with intelligence, and seeks its kindred beyond the limits of this life. His animal nature may truly say to the worm, “Thou art my brother! and to corruption, Thou art my sister and my mother!” His intellectual and moral faculties have no fellowship upon earth.

These faculties are the talent which his Maker has given to man. By means of them, he is enabled to exercise dominion over the earth, and to subdue it to his own enjoyment and happiness. By their means too, it is intended that he shall exercise dominion over the earthly parts of himself—that he shall regulate the exercise of his corporeal powers, subdue his passions and appetites, and live upon the earth, as if he were not of the earth, enjoying the bounties of Providence with cheerful gratitude; doing good to his fellow men, and exalting, by rational discipline, his own character, and

the character of his race.—This is his greatest glory—this is his highest happiness—this is his obvious duty.

The faculties which thus constitute the high and distinguishing privilege of man, exalting him above all that surrounds him, and placing him but “a little lower than the angels,” are progressive and improveable. It is true, also, that the bodily powers are capable of some improvement. But the measure of their growth is limited; and, comparatively, it is soon attained.—Their highest perfection seems to continue but for a moment. The intellectual and moral capacity, on the contrary, flourishes more and more with culture—becomes continually enlarged and invigorated, and yields a daily and increasing harvest, even when the bodily powers are visibly declining.

When the bloom has forsaken the cheek—when the beautiful smoothness of youth has yielded to the furrows of age, and the step has begun to lose something of its elasticity and briskness—the cultivated and disciplined mind, nourished by wholesome food, and enlivened by exercise, is still advancing in its career, extending the sphere of its beneficent influence, and, as it were, supplying, by its own graces, the ravages which time has made in the external form. The light within, if duly trimmed and fed, continues to spread its lustre with unabated, and even increasing splendour, when the frame that incloses it has lost its freshness, and begun to grow dim from age.

But we must also remember, that these faculties are liable to debasement and degeneracy. They will rust from sloth and indolence—they will decay from want of exercise and nourishment—and they will be smothered and destroyed, if subjected to the dominion of our passions and appetites. *That* is an empire they cannot endure. They were intended to be masters—and they will not submit to exist as slaves. The sluggard suffers the light of his intellect to go out. The drunkard drowns and extinguishes it. The one sinks into a state of calm brutality—the other, with frenzy in his brain, resembles more a savage and maddened animal rushing upon his own destruction, but dangerous to all who are in his way. Both are guilty in the same kind, though not in the same degree. They destroy the chief talent committed to man, and they degrade and dishonour his nature.

It has already been remarked, that the higher and nobler faculties of man will not exist in subjection to his sensual nature. They decline, decay and perish, unless they are allowed to exercise the authority allotted to them by a wise Providence. The moment their just empire is successfully invaded, they begin to languish—resistance becomes gradually more feeble, until at length they are overpowered and destroyed. And what then is the condition of the individual? Wisdom and virtue are synonymous, and happiness is their attendant reward. Folly and vice, on the contrary, not only lead to misery, but are sure to be accompanied by it at every step. In their first efforts to shake off the wholesome restraints of reason and conscience, they have to maintain a painful conflict with the accusers within, which constantly mars and disappoints their expected enjoyment. The poison is manifest in the cup, and they feel that it is there. They may throw off the rein of reason and conscience, but they will still suffer from the *lash*! When they have gained the victory, (as it must be admitted they may,) they have subverted the natural empire which Providence had intended should be established; and in the wild misrule which follows, the conquerors are sure to be the victims of the disorder and confusion they have created.

Vicious indulgence destroys the body as well as the soul. It brings to an untimely end the very capacity for enjoyment. Its food is deadly poison. Does the sluggard enjoy his sloth? It is impossible. *There is no rest without labour.* Unbroken idleness is more irksome than severe exertion; and it has no relief. The diligent man has delight in his honest occupation, even though

it be wearisome; and he rejoices in the repose which he earns by it. He, and he alone, can duly estimate the force of the truth, that *the sabbath is made for man*! He is thankful for the refreshment and rest it affords him; while the habitual idler finds that it only increases his weariness. Has the drunkard or the debauchee any enjoyment? He has scarcely taken one step in the delirious path, before he begins to totter, and finds that by associating with vice, he has made a companion also of disease. They fasten upon him together; and however he may for a while be deluded, he soon becomes their conscious and degraded slave, the contempt of mankind gradually settling upon him; and his own reason approving the justness of their sentence. The base chains he wears are of his own forging. His own are the pain and the disgrace they inflict.

Self-denial and discipline are the foundation of all good character—the source of all true enjoyment—the means of all just distinction. This is the invariable law of our nature. Excellence of every sort is a prize, and a reward for virtuous, patient, and well directed exertion, and abstinence from whatever may encumber, enfeeble or delay us in our course. The approach to its lofty abode is rightly represented as steep and rugged. He who would reach it must task his powers—But it is a noble task, for, besides the eminence it leads to, it nourishes a just ambition, subdues and casts off vicious propensities, and strengthens the powers employed in its service, so as to render them continually capable of higher and higher attainments.

What mean the cheers which greet the ingenuous youth, when he arrives at the high honours of a seminary of learning? Why do the hearts of his parents swell with unusual gladness, and tears burst forth to relieve their almost suffocating joy? Why is this epoch in life marked, as it every where is, with such intense and unabating interest? The race is not ended—it is only begun. One stage is reached, but another not less critical succeeds—and even when that is passed in safety, the whole way of life is beset with temptations and dangers, which require all our exertion, with the constant aid of a gracious Providence, to resist and avoid. Why, then I repeat, this heartfelt rejoicing? It is not merely that he has acquired the portion of learning which is taught in a College; though that is of inestimable value. It is that the youth, whose powers have thus been put forth and tried, has given a new earnest of character, and a new assurance of hope. His habits are measurably formed—his nobler faculties expanded—and his future elevation, in some degree indicated, by the strength of pinion displayed in his first flight.

As the mother's eye marks with inexpressible delight the first steps of her child, and her ear catches, with thrilling rapture, the music of his earliest efforts to utter articulate sound, imparting her joy to the whole household, and making as it were a family jubilee—so is the attainment of the honours of a College naturally and justly regarded with deep emotion. It fixes an important period in what may be termed the infancy of manhood, demonstrating the existence of a capacity for usefulness, and for further and higher honors. Happy are the youth who enjoy the opportunity of a liberal education—happier still are they who diligently and successfully improve it!

It is not the design of this discourse to speak of education in general—but only to make a few remarks upon what is denominated a *liberal education*—that system of instruction which is adopted in the higher seats of learning, and leads to learned honours. Institutions of this description are rapidly increasing in every quarter of our country. If the establishment of numerous seminaries of learning is to be regarded as an evidence of a corresponding increase of demand for liberal education, founded upon a proper knowledge of its nature, a just appreciation of its advantages, and a fixed determination to uphold and even to elevate its standard, this circumstance must afford the highest satisfaction to the

scholar, the patriot, and the philanthropist. It will promote the cause of sound learning—it will advance the honour of our country, and it will increase the happiness of mankind. That such may be its effect, every one must ardently desire.

But it must be obvious at the same time, that these advantages are only to be gained by maintaining unimpaired, and in all its integrity, the true character of the higher seminaries of learning. It is not their object to teach the simpler elements of knowledge. These must be first acquired elsewhere, as an indispensable preliminary to admission. Nor do they profess, as a part of the Collegiate course, to qualify individuals for particular employments in life. This is a matter of subsequent acquisition, frequently not decided upon till after the College studies are ended.

The design of a College, as it has been well said, is “to lay the foundation of a superior education;” not to teach fully any particular art or science, but to discipline the intellectual powers, and to store the mind with such knowledge as may lead to further attainments, and be useful in any of the occupations or pursuits which are likely to be the lot of those who have the advantage of a Collegiate education. In a word, to place distinctly before the student the high objects to be aimed at—to teach him how they are to be attained—to stimulate him by worthy motives—and, after unfolding to him his own powers, and the mode of employing them, to send him forth with a generous and well directed ambition, and an instructed and disciplined mind, to follow out the course in which he had thus been trained.

Such a system, it must be evident, admits of no concession to individual views or inclinations. It works by general means, and for a general end. It proposes the same instruction for all; the same discipline; the same rewards; proceeding upon the assumed basis, that the plan thus adopted is in itself the best calculated to produce the desired general result.

In Sparta, the education of youth was a public concern. At an early age, children were taken from their parents, and placed under the care of masters appointed by the state, to prepare them, according to their notions to become good citizens. The ancient Persians and Cretans adopted a similar plan. With them too, education was a matter of public regulation. Among the Athenians and Romans, youth were not thus detached by law from the authority and care of their parents. — But their education was justly deemed to be a matter of the highest importance, and conducted, no doubt, upon a general system, adapted to their manners and circumstances. Whatever opinion we may entertain of the methods they adopted, and the end they proposed—however different may have been the character intended to be formed, by the institutions of the Spartans and the Persians, from that which modern education proposes to cultivate—yet there is one point which has the sanction of their authority as well as the authority of succeeding times—that the education of youth having reference to a determined end, ought to be conducted upon a general plan, and that plan the best that is attainable for the end proposed, and carried to the highest perfection of which it is susceptible. It is not meant to be contended, that in modern times, and in large communities, when there is so great an inequality in the condition of men, the highest education is, or ever can be within the reach of all, or even of a very considerable number. In our own country, favoured as it is by the bounty of Providence, with advantages such as no nation has ever before enjoyed, how many are there to whom the benefits even of the humblest education are not extended! Enlightened benevolence is happily exerting itself with unwearied diligence, to remedy this reproachful evil; and it is to be hoped that the time will soon come, when not a child will be left destitute of the means of acquiring at least the simpler elements of knowledge. This, however, is a subject of vast ex-

tent and interest, upon which it is not intended now to touch.

When, therefore, we speak of a “superior education,” or a “liberal education,” or, which ought to be equivalent, a “collegiate education,” we speak of that which has one common purpose or object, and which of course is necessarily itself but one. That it is applicable to all the youth of a country, whatever may be their condition or preparation, or whatever may be their future views in life; is what, as already intimated, it is not intended to affirm. The greater number cannot enjoy its advantages. At the age when the course of instruction in a College usually begins, some are obliged to labour for their subsistence; some are condemned to lasting ignorance by the neglect of parents or friends, or by the imperious force of circumstances; and some are already fixed to the occupations which are to employ their maturer years. We would not be understood by this remark to suggest, that superiority consists in the advantages we possess—it is only in the use we make of them, for which we are responsible, exactly in the proportion of their extent. All honest industry is honourable, as well as useful. Nothing is disgraceful but idleness and vice; and the disgrace they bring with them is greater or less, as our opportunities have been more or less favourable. In the judgment of mankind, as well as in the awful judgment of Him from whom we have received all that we possess, the improvement required of us is according to the talent committed to our care. Much is therefore expected of him who has the means of attaining the highest intellectual and moral advancement. He is not to look down with a feeling of pride, upon other employments or conditions of life, as if they were inferior; but comparing himself with the most diligent in each—to examine whether he has equalled with them improved the talents and opportunities vouchsafed to him—whether, in the race of honest exertion—the only generous competition that all can engage in—he has equalled, or excelled them—whether he has better or worse fulfilled the duty he owes to his day and generation.

The humblest laborer, who strenuously performs his daily task, and honestly provides an independent subsistence for himself and his family, is inconceivably superior to the sluggard and idler, though the latter may have had the opportunity of education in a seminary of learning.

There are some, who suppose that the business of instruction might be better adapted to the inclinations and views of individuals—that each student in a College might be taught only that which he desires to learn, and be at liberty to dispense with such branches of learning as appeared to him unnecessary or inapplicable, and yet receive Collegiate honours! This is an opinion which is perhaps gaining ground, and which, it cannot be denied, has been adopted by several distinguished men, and supported by plausible arguments.

Education, in all its parts, is a concern of so much consequence, so deeply and vitally interesting, that it ought not to be exposed, without great caution, to hazardous experiments and innovations. Is it, then, susceptible of improvement? Is the human mind, progressive upon all other subjects, to be stationary upon this? Shall not education be allowed to advance with the march of intellect, and its path be illuminated with the increased and increasing light of the age? Or shall it be condemned to grope in the imperfect twilight, while every thing else enjoys the lustre of a meridian sun? These are imposing questions, which are not to be answered by a single word. Admitting the general truth of that which they seem to assert, namely, that education, in all its departments, ought to be carried to the highest attainable perfection, and that the methods of reaching that point deserve our most anxious and continued attention—it must at the same time be apparent, that as long as the argument is merely speculative, implying objections to existing methods of instruction, and



raising doubts about their value, without offering a distinct and approved substitute, great danger is to be apprehended from its circulation.

There is no doubt that improvement may be made in the seminaries of our country—there is no doubt that it ought to be made—and it is quite certain that it requires nothing but the support of enlightened public sentiment to bring it into operation. The improvement adverted to is improvement in degree—a better preparation for admission into College—a somewhat later age, and of course more mature powers—and, as a consequence, higher and more thorough teaching. The result cannot be secured, unless the means are employed; and their employment does not depend upon those who are immediately entrusted with the care of the instruction of youth. Professors and teachers would unfeignedly rejoice in raising the standard of education—in advancing their pupils further and further in the path of learning—if parents, duly estimating its importance, could be prevailed upon to afford them the opportunity—for *they*, (unless totally unfit for their trust,) must be justly and conscientiously convinced of the value of such improvement. But their voice is scarcely listened to. By a prejudice, absurd and unreasonable as it is unjust, *they* are supposed to be seeking only to advance their own interest; and *their* testimony is, on that account, disregarded; when, upon every principle by which human evidence ought to be tried, it is entitled to the highest respect. *Their* means of knowledge are greater than those of other men. They learn from daily experience—they learn from constant and anxious meditation—they learn from habitual occupation. It is theirs to watch with parental attention, and with more than parental intelligence, the expanding powers of the pupils committed to their charge. It is theirs to observe the influence of discipline and instruction in numerous instances, as it operates upon our nature—and it is theirs, too, with parental feeling, to note the issues of their labours, in the lives of those who have been under their charge—to rejoice with becoming pride, when following an alumnus of the College with the eye of affectionate tenderness, they see him steadily pursuing a straight forward and elevated path, and becoming a good and an eminent man—and to mourn, with unaffected sorrow over those who have fallen by the way, disappointing the hopes of their parents and friends, turning to naught the counsels and cares that have been bestowed upon them, and inflicting pain and misery upon all who felt an interest in their welfare. *Experto crede*, is the maxim of the law; and it is no less the maxim of common sense. Why is it not to be applied to the case under consideration, as it is to all others which are to be determined by evidence? The sneering and vulgar insinuation sometimes hazarded by those who find it easier to sneer and insinuate, than to reason, that teachers, as a body, have a peculiar interest of their own, sufficient, upon questions which concern their vocation, to bring into doubt the integrity of their judgment, and thus to make them incompetent to be witnesses, if rightly considered, is not so much an insult to this useful and honourable, and I may add, in general, faithful class of men, as it is to the parents who entrust them with their children. What judgment shall we form of *their* intelligence—what shall we say of *their* regard for their offspring, if, at the most critical period of life, they place the forming intellect in the hands of men of more than questionable integrity, to be fashioned by them into fantastic shapes to suit their own purposes, or gratify their own whims? The truth is, that it is an appeal to ignorance, which can succeed only with those who are unable or unwilling to think, and is employed chiefly for want of solid argument.

The circumstances of our country, it must be admitted, have encouraged and have favoured an early entrance into life, and so far have been averse to extended education. This cause has naturally, and to a certain extent justifiably, induced parents to yield to the rest-

less eagerness of youth, always anxious to escape from the trammels of discipline, and confide in the strength of their untried powers.

Pride, too, a false and injurious pride, is apt to lend its assistance. Instead of measuring the child's progress by his advancement in learning and in years, the parent is too much inclined to dwell only upon the advance he has made in his classes, and to note, with peculiar gratification, the fact, that he is the youngest of the graduates. Often, when it is evident to the teacher, that the pupil's lasting interest would be promoted by reviewing a part of his course, the very suggestion of being put back, is received as an affront, and indignantly rejected, though offered from the kindest and best considered motives. It is a mistake, a great mistake. To hurry a youth into College, and hurry him out of it, that he may have the barren triumph of extraordinary forwardness, is to forget the very end and object of education, which is to give him the full benefit of all that he can acquire in the period, which precedes his choice of a pursuit for life. What is gained by it? If, as frequently happens, he be too young to enter upon the study of a profession, there is an awkward interval when he is left to himself; he is almost sure to misapply and waste his precious time, and is in great danger of contracting permanent habits of idleness and dissipation. But even should this not be the case, of what consequence is it to him, that he should enter upon a profession a year sooner or later, compared with the loss of the opportunity of deepening, and widening, and strengthening, the foundations of character, which are then to be laid in a Seminary of learning. This opinion is not without decided support. Many intelligent parents have been observed to adopt it in practice, voluntarily lengthening out the education of their children beyond the ordinary limits. Such an improvement as has now been alluded to, ought unquestionably to be aimed at. The progress of liberal education ought to bear some proportion to the rapid advances our country is making in other respects, and to the character and standing which her wealth, her strength, and her resources require her to maintain. It is especially due to the nature of our Republican institutions, in order to win for them still higher esteem with mankind, that their capacity should be demonstrated, to encourage and produce whatever is calculated to adorn and to improve our nature, and to contribute our full proportion to the great society of learning and letters in the world. It would be much to be regretted, if the multiplication of colleges were to have the contrary effect, of lowering the standard of education, or of preventing its progressive elevation. Let the competition among them be, not who shall have the most pupils within their walls, but who shall make the best scholars!

But may there not be improvement in kind, as well in degree? May not the course of studies itself be beneficially altered, excluding some, which are now in use, and adopting others which have not hitherto been introduced—changing the relative importance of different objects of study—making those secondary, which at present are principal, and those principal, which are now, in some degree, secondary—or, adopting a flexible and yielding system, may not the studies be accommodated to the views and wishes of individuals, permitting each pupil to pursue those, and those only, which he or his parents or friends may think proper to select as best adapted to his expected plan of life? It would be rash and presumptuous to answer that such improvement is impossible; and it would be unwise, if it were practicable, to check or discourage the investigation of matters so important to the welfare of man. The subject is one which at all times deserves the most careful consideration; and the highest intellect cannot be better employed than in examining it in all its bearings. But its unspeakable importance inculcates also the necessity of great caution. It is dangerous to unsettle foundations. Doubts and objections to existing systems, with-

out a plain and adequate substitute, are calculated only to do mischief. By bringing into question the value of present methods of instruction, they tend to weaken public confidence, to paralyze the efforts of the teacher, and to destroy or enfeeble the exertions of the student. A strong conviction of the excellence of the end, is the indispensable incitement to the toil of attaining it. Without this stimulus, in all its vigour, nothing rational will be achieved. The love of ease, which is natural to us all, will lend a ready ear to the suggestion, that labour would be wasted, and the misguided youth, doubting the usefulness of the task that is before him, and expecting something (he knows not what) more worthy of his zeal and energy, will be like the foolish man, who stood upon the bank of a river, waiting for the water to run out, and leave the channel dry for him to pass over.

*Experimentum in corpore vili*, is the cautious maxim of physics. A generation of youth is of too great value to be experimented upon; and education is of too much consequence to hazard its loss, by waiting for the possible discovery of better methods. It is a great public concern, and should be dealt with accordingly, until a specific change shall be proposed, which, upon a deliberate and careful examination, shall meet the acceptance of the greater part of those who are best able to judge, so that they can conscientiously, and with full conviction, recommend it to general adoption, as entirely worthy of public confidence, let us cling to that which has been proved to be good. Quackery is odious in all things, but in none more than this. *Stare super vias antiquas*, is a safe precept for all, at least until a way be pointed out that is clearly and demonstrably better.

Speculation, however ingenious, is not knowledge; nor are doubts and objections to be entertained, where decision is of such vital importance. Time is rushing on—youth is passing away. The moments, that are gliding by us, will never return. The seed time neglected, there will be no good harvest. Poisonous and hateful weeds may occupy the soil, which, under good culture, would have yielded excellent fruit. The craving appetite of youth must be satisfied. If not supplied with sound and wholesome food, it will languish for want of sustenance, or perhaps drink in poison and destruction. The brute animal, without reason, is guided by an unerring direction, to the provision made for its support, each individual obeying his own instinct, without aid or counsel or restraint from the others. But man, excepting the direction he receives to the beautiful fountain of nourishment, provided for the short period of helpless and unconscious infancy, has no such determining instinct. He has a large range, and a free choice. "The world is all before him, where to choose;" and reason is given, to select for him that which is for his advantage. Nor is the rational individual left dependent upon his own unassisted intelligence for his guidance. Until his faculties, which are progressive, have arrived at a certain maturity, it is in the order of Providence, that he should have the benefit of the enlightened reason of his species imparted to him, for his own sake, by parents, by teachers, by friends, and by the counsels of the wise and the virtuous, which he cannot enjoy but upon the terms of being subjected to their authority. It is theirs to lead him on his way—it is his to follow the path they point to. But if the guide stand doubting and perplexed, what will become of the follower?

That a Collegiate education can be so modified as that each student may be permitted to choose his own studies generally, or even to a limited extent, and yet receive the honours of a College, is a proposition, which, to say the least of it, must be deemed to be very questionable.

Without intending to occupy your time with any thing like a discussion of this question, it may, nevertheless, be allowable to remark, that the suggestion, however plausible in itself, seems to be founded in an erroneous conception of the nature of such an education. How-

ever it may be styled a Collegiate education—a superior education—a liberal education—it is still only a portion of preliminary education. It is not designed, as has already been stated, to qualify the student in a special manner for any particular profession or pursuit—to make him a Divine, or a Lawyer, or a Physician—but to aid in the development of all his faculties in their just proportions; and by discipline and instruction, to furnish him with those general qualifications, which are useful and ornamental in every profession, which are essential to the successful pursuit of letters in any of their various forms, and, if possible, even more indispensable to the security and honour of a life of leisure. Nor does it set up the extravagant pretension of supplying him with a stock of knowledge sufficient for all purposes, and sufficient for its own preservation, without further exertion. It gives him the keys of knowledge, and instructs him to use them for drawing from the mass, and adding to his stores. It teaches him the first and greatest of lessons—it teaches him how to learn, and inspires him at the same time, if it succeed at all, with that love of learning, which will invigorate his resolution in the continual improvement of this lesson. The momentum, if rightly communicated, and rightly received, will continue to be felt throughout his life. But it is unnecessary to dwell longer on this part of the subject, as it has lately received, will continue to be felt throughout his life. But it is unnecessary to dwell longer on this part of the subject, as it has lately received an ample and able exposition, in a report made by the Faculty of a neighboring institution,\* which, (if I may be permitted to venture a judgment upon the work of so learned a body,) does them the highest honor.

The suggestion under consideration would perhaps be entitled to more respect, if in fact the destination of youth for life always, or even generally, preceded their entrance into College. But that, it is believed, is not the case. The fond partiality of a parent may sometimes discern, or fancy it discerns in a child, the promise of eminence in some peculiar walk. But it would be unwise to decide finally, before a decision is necessary, and before the subject is ripe for decision. It is in the college that the youth has the last trial with his equals. There his growing powers are more fully exhibited, and placed in a clearer light. And there, too, it often happens, that an inclination is disclosed, which not being unreasonable in itself, a prudent and affectionate parent may think fit to indulge. The time of leaving College would, therefore, seem to be a much more suitable occasion for decision than the time of entering it. But even such a decision is not always unchangeable. How many instances have occurred, of youth, who, after receiving the benefits of a liberal education, have engaged in one pursuit, and subsequently, with the approbation of their parents and friends, have betaken themselves to another, with distinguished success! Several present themselves to my recollection, and some of them of men who have attained, and are now enjoying the highest eminence.

How often does it happen, much later in life, that men are compelled by circumstances, or constrained by a sense of duty, to change their occupations? It is precisely in such instances that the advantages of a liberal education are most sensibly felt—of that early training, and general preparation, which, not being exclusively intended for any one pursuit, are adapted to many, if not to all, and confer upon the individual a sort of universality of application and power. In a moment like this, the means which education has supplied come to our aid, like the neglected and almost forgotten gift of an old friend, hallowed and endeared by the associations they bring with them. And in such a moment, the individual who, has not had the same opportunity, most keenly feels the loss.

Nor must we forget that in this our country, every in-

\*Yale College.

dividual may be called upon to take a part in public affairs, and there to maintain his own character, and the character of the state or nation. And even should not this occur, still he is to mingle in the intercourse of polished society, where his station in the esteem and respect of others, will be assigned to him, according to the measure of his improvement and worth, estimated by the scale of his opportunities. Being, as it were, a part of the Corinthian capital of society, he will be unworthy of his place, if he is destitute of the ornaments and graces that belong to his station.

But upon the plan that is now in question, who is to choose for the youth the studies he will pursue? Surely it cannot be gravely asserted, that, at the usual age of entering into Colleges the choice ought to be left to himself. Why has Providence committed the care of children to the affectionate intelligence of parents? Why have human laws provided for them tutors & guardians? Why have schools, and seminaries of learning been established, and courses of education and discipline prescribed, but to give them the benefit of that experience and knowledge which they do not themselves possess?

To suppose that a youth, at such an age, is competent to decide for himself what he will learn, is to suppose that he has already had the experience of manhood, under the most favorable circumstances—that he is competent to educate himself—nay, that he is already educated—and instead of needing instruction, is qualified to impart it to others. Is the choice then to be made by parents? To them it undoubtedly belongs, as a right, to determine for their children, whether they will send them to College or not—but there their authority terminates. It cannot be pretended that every parent, or that any parent has, or ought to have, or can have a right to decide upon the discipline and instruction to be adopted in a College, though he has the power of withdrawing his child, if he think fit to do so.

Admitting parents to be fully competent to resolve a question of so much depth and difficulty—as many unquestionably are—and admitting, too, that their views are more wise and accurate, and entitled to greater deference than the collected and continued wisdom which has devised, and which preserves the system in being, still it would be obviously impracticable to indulge them. There could not, in such a case, be statutes, or laws, or discipline, or system. In short, there could be no government. To some, it may seem harsh, but it is believed to be perfectly true, that when a youth is once placed in a College, selected after due deliberation, the less interference there is on the part of the parent, except in cases of manifest wrong done to him, (which rarely or ever occur in our principal institutions,) and the more unreservedly the pupil is committed to the authorities of the institution, the better it will be both for parent and child.

Above all things, a parent should sedulously guard against the introduction of a doubt into the mind of a student, of the justice and necessity of the authority exercised over him, or of the excellence of the studies he is required to pursue. Such doubts must inevitably produce insubordination and indolence, and will end in the disappointment of his hopes. Enthusiastic and ardent zeal, an estimate even exaggerated, of the excellence of a given pursuit, amounting almost to folly in the judgment of by-standers, are the needful stimulants to successful enterprise. Nothing great is achieved without them. The heart must go along with the understanding. A strong passion must take possession of the soul, inspiring it with warmth, and with enduring energy, and unconquerable resolution; so that all its faculties may be fully and steadily exerted, and overcoming the visinertiz of our nature, and deaf and blind to the temptations that would seduce it from its course, it may press forwards continually towards the prize which is to be the reward of its toils. Such ought to be the feelings of the youth who is favoured with the opportunity of a liberal education. Devotion to his studies, as excellent in themselves, affectionate respect for his teachers, as

faithful guides and impartial judges, an honourable competition with his equals, in virtuous exertion, and a conscientious observance of the laws of the institution—these are the habits which will lay a deep foundation for the structure of future usefulness and eminence.—The honours of the College, their first fruits and their just reward, are the gratifying proofs of a capacity for further triumphs, and constitute the richest, and most acceptable offering which filial duty can present as an acknowledgment and requital of parental care.

(To be continued.)

#### AMERICAN SILK.—No. 7.

America is destined to be a rich silk growing and silk manufacturing country. But her advances towards that desirable state of things must be gradual and systematic. Every attempt to do that at once which can only be effected in a course of years, must ultimately fail; while patriotism and enterprise will be discouraged by the enormous expense and fruitless labour that will be incurred.

It is an old and a trite adage, that in every thing the end is to be considered, but it is no less true that the beginning also requires the most serious attention. How a thing is to end almost always depends on the manner in which it is begun. Hence when we take a view of the numerous and various branches of science and art of which the silk business consists, from the planting of the mulberry tree, to the producing of those elegant and delicate stuffs, which daily issue from the European looms, it is natural to ask ourselves by which of these branches is a nation to begin?

As far as I am able to understand what has been said and written in this country upon this interesting subject, it seems to me that it is an opinion pretty generally diffused that all these things may be done at the same time. I have heard of projected establishments for planting mulberry trees, raising silk worms, and manufacturing silk stuffs of every description. Such an establishment can never succeed. The two great divisions of human labour, agriculture and manufactures, require to be carried on separately and by different hands. A nursery of mulberry trees and silk worms can never be profitably attached to a manufacturing establishment.—To say nothing of the immense expense which this complex system would occasion, it must be evident that the profits of the manufacturer should not be dependent on the success of the agriculturist; the risk would be too great; one hard winter, one bad crop of cocoons, would reduce to nothing the earnings of the artist, and he could not with safety carry on his business in such a perilous situation. The raising of silk worms, therefore, must be left entirely to the farmer, and the mechanic must apply himself solely to those branches which are within the proper line of his business.

But I have shown in my former numbers that these branches are various, and that the mechanical part of the silk business is susceptible of divisions and subdivisions. I have mentioned the three principal branches: 1. The making of raw silk. 2. Its preparation for the weaver's loom, called *thrown silk*. 3. The manufacturing of silk stuffs. This last branch alone is completely entitled to the name of manufacture. To attempt all three at once would require enormous capitals, and such an immense undertaking could hardly end otherwise than by a failure, which would indefinitely postpone the success of the silk business in the United States. Manufactures are of slow growth, and in their beginnings particularly, require great means and powerful support. Recent experience in the case of cotton and woollen stuffs, has sufficiently proved the truth of this position.

I am therefore of opinion that the produce of the American silk worm should be employed as an article of foreign commerce, before it is attempted to manufacture it either for home consumption or exportation.

Great profits are to be derived from this branch of industry, and when it shall have arisen to a certain degree of strength and prosperity, manufactures will gradually and successively follow in its train. Every attempt to force them into existence before the proper time shall have arrived, will prove ruinous and unsuccessful.

It is by this slow and gradual course of proceeding that the cotton business has risen in the United States to the degree of prosperity that it has attained. For more than twenty years cotton was prepared and sold as a raw material, without any attempt to convert it into manufactured stuffs. All the labour that was bestowed upon it was that of drying, ginning, picking, cleaning, packing, compressing, in short, of preparing it for exportation, under the name of *raw cotton*. While the country was following that course, American genius displayed itself by the invention of the invaluable machine called *Whitney's saw-gin*, of which an American writer has said, "that the difference between its operation and the ordinary manual operation, is as one thousand to one."\* During that period of twenty years the exportation of *raw cotton* produced immense profits to this country. The business at last was overdone, the profits diminished, and manufactures were resorted to. This was the natural order of things, yet those manufactures have had, and still have, to encounter, many hard struggles. Their trials are not yet at an end.

Thus instructed by experience, as well as convinced by the reason of the thing, I would recommend the same course to be pursued with regard to silk. Nothing should be attempted at first beyond preparing it in the form of raw material for exportation. I shall by and by endeavor to show the profits that will arise and the results that will follow this mode of proceeding.

I have said nothing as yet (except a few words, incidentally,) respecting the planting of the mulberry tree, or the raising of the silk worm for the production of cocoons; neither is it my intention to expatiate upon the subject. Although, undoubtedly, nothing can be done, in the way of silk, without a sufficient quantity of cocoons, I do not see any necessity, at present, for bestowing much attention upon this agricultural topic. I have observed with astonishment, during my short residence in this country, that although there is not the least encouragement for the farmers and planters to attend to this production, nevertheless the mulberry tree is cultivated, and silk worms are raised in all parts of this country, from the north to the south, and from the east to the west; I have examined the cocoons produced in this State, and have extracted silk from them, which I have found superior in quantity and quality to any that I have ever seen; I think, therefore, that this part of the business may be in a great measure left to itself. The main object is to find employment for the silk produced by the American citizens, and to establish, in some central place, a regular market for their cocoons. Their industry, stimulated by their interest, will do the rest. The planting of the mulberry tree and raising of the silk worm are not mechanical arts, like the other branches of the silk business. Many excellent books have been published, and I find are disseminated in translations and abridgments through this country, containing directions which need only be attended to, to be successful. Experience and observation will soon make the American farmers perfect in that business. When they find that their bad or imperfect cocoons do not sell for so high a price as the good ones, they will naturally inquire into the causes of the deficiency; it will be the interest of the purchaser to give them the necessary information, and in the course of a few years the best cocoons will be every where produced in the United States, without the necessity of erecting *dandoliers*, as they are called in Europe, or *pattern nurseries*: these are the playthings

of theoretical men—the practical man takes a shorter road; he knows how long a time it would take to convey instruction in that slow manner from Maine to Florida, and from Philadelphia to Cincinnati or St. Louis; he trusts to the intelligence, the industry, the observation, and, above all, to the interest of those who are to supply him with the material that he is in need of, and in such a country as the United States none of these grounds of reliance will ever prove vain.

The plan, therefore, that I propose, is, that the silk produced in the United States be, in the first instance, and for some years at least, employed exclusively in the form of *raw silk*, properly prepared, as an article of foreign commerce, until out of the profits which most necessarily arise from that trade, the means be provided to proceed to the application of that material to other and still more profitable branches of industry, which, I am free to say, will take place gradually, and, as it were, of itself, provided no forcing or hot-bed schemes are allowed to interfere and nip these fair prospects in the bud. I maintain, that a regular market being once established in this country for the purchase of cocoons, the production of that article will soon be brought, without any effort, to its highest degree of perfection, and this country will reach an hitherto unexampled degree of wealth and prosperity.

I shall, in the sequel, explain myself further upon these subjects.

J. D'HOMERGUE.

8th August, 1829.

*Mammoth Radish*—A White Radish was raised this season by Adam Kuntz, in Mahoney, Northampton Co. measuring in circumference 17 inches, length 16 inches, weight 6½ lbs. So much for Mahoney.

*Mauch Chunk Pioneer.*

## METEOROLOGICAL REGISTER.

JULY, 1829—KEPT IN CHILISQUAQUE, BY J. F. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmosp. Variations. |         |
|------|------------|------|------|-------------|----|----|---------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.               | P. M.   |
| 1    | 29 4       | 29 4 | 29 4 | 63          | 67 | 63 | Cloudy              | Showers |
| 2    | 29 5       | 29 5 | 29 5 | 63          | 68 | 69 | Cloudy              | Rain    |
| 3    | 29 6       | 29 6 | 29 6 | 64          | 70 | 74 | Clear               | Clear   |
| 4    | 29 6       | 29 6 | 29 6 | 64          | 66 | 65 | Rain                | Rain    |
| 5    |            |      |      |             |    |    |                     |         |
| 6    | 29 5       | 29 5 | 29 5 | 70          | 73 | 72 | Sunshn.             | Cloudy  |
| 7    | 29 5       | 29 5 | 29 5 | 67          | 74 | 76 | Clear               | Clear   |
| 8    | 29 2       | 29 3 | 29 3 | 74          | 79 | 80 | Cloudy              | Cloudy  |
| 9    | 29 4       | 29 4 | 29 4 | 69          | 74 | 77 | Clear               | Clear   |
| 10   | 29 5       | 29 5 | 29 5 | 69          | 79 | 82 | Clear               | Clear   |
| 11   | 29 5       | 29 5 | 29 5 | 71          | 79 | 82 | Clear               | Clear   |
| 12   |            |      |      |             |    |    |                     |         |
| 13   | 29 5       | 29 5 | 29 5 | 63          | 67 | 72 | Sunshn.             | Clear   |
| 14   | 29 5       | 29 4 | 29 4 | 70          | 76 | 82 | Clear               | Clear   |
| 15   | 29 4       | 29 5 | 29 5 | 69          | 86 | 90 | Clear               | Clear   |
| 16   | 29 5       | 29 5 | 29 5 | 80          | 81 | 76 | Cloudy              | Rain    |
| 17   | 29 6       | 29 6 | 29 6 | 79          | 80 | 81 | Sunshn.             | Sunshn. |
| 18   | 29 5       | 29 4 | 29 4 | 68          | 70 | 72 | Cloudy              | Cloudy  |
| 19   |            |      |      |             |    |    |                     |         |
| 20   | 29 6       | 29 6 | 29 6 | 71          | 76 | 79 | Clear               | Clear   |
| 21   | 29 5       | 29 5 | 29 5 | 72          | 80 | 84 | Clear               | Clear   |
| 22   | 29 5       | 29 5 | 29 4 | 77          | 88 | 86 | Clear               | Clear   |
| 23   | 29 4       | 29 4 | 29 4 | 74          | 80 | 73 | Rain                | Rain    |
| 24   | 29 5       | 29 6 | 29 6 | 71          | 75 | 76 | Cloudy              | Cloudy  |
| 25   | 29 7       | 29 7 | 29 7 | 65          | 72 | 78 | Clear               | Sunshn. |
| 26   |            |      |      |             |    |    |                     |         |
| 27   | 29 8       | 29 8 | 29 7 | 69          | 76 | 79 | Clear               | Cloudy  |
| 28   | 29 5       | 29 5 | 29 5 | 68          | 73 | 77 | Cloudy              | Cloudy  |
| 29   | 29 4       | 29 4 | 29 4 | 69          | 76 | 78 | Cloudy              | Cloudy  |
| 30   | 29 4       | 29 4 | 29 4 | 74          | 81 | 86 | Cloudy              | Cloudy  |
| 31   | 29 4       | 29 4 | 29 4 | 78          | 81 | 83 | Sunshn.             | Sunshn. |

\* Tench Coxe on the Manufactures of the United States, p. 9.

## NETEOROLOGICAL TABLE.

According to Fahrenheit, in the shade, the temperature of the weather at Mauch Chunk, was as follows, during the time specified.

| DATE.         | Before 6 o'clock,<br>A. M. | Noon. | Sunset. | Depth of Rain,<br>inches. | Of Snow, inches. | Of Melted Snow,<br>inches. |
|---------------|----------------------------|-------|---------|---------------------------|------------------|----------------------------|
| July 1, 1829. | 50                         | 69    | 60      | .14                       |                  |                            |
| 2,            | 54                         | 66    | 63      | .32                       |                  |                            |
| 3,            | 48                         | 72    | 67      |                           |                  |                            |
| 4,            | 60                         | 64    | 60      | .31                       |                  |                            |
| 5,            | 57                         | 70    | 70      | .65                       |                  |                            |
| 6,            | 61                         | 78    | 64      | .51                       |                  |                            |
| 7,            | 50                         | 77    | 69      |                           |                  |                            |
| 8,            | 54                         | 80    | 72      |                           |                  |                            |
| 9,            | 52                         | 76    | 70      |                           |                  |                            |
| 10,           | 51                         | 80    | 73      |                           |                  |                            |
| 11,           | 55                         | 82    | 75      |                           |                  |                            |
| 12,           | 56                         | 82    | 65      | .30                       |                  |                            |
| 13,           | 51                         | 69    | 65      |                           |                  |                            |
| 14,           | 50                         | 79    | 74      |                           |                  |                            |
| 15,           | 55                         | 87    | 82      |                           |                  |                            |
| 16,           | 63                         | 81    | 73      |                           |                  |                            |
| 17,           | 68                         | 77    | 73      |                           |                  |                            |
| 18,           | 66                         | 70    | 67      | .04                       |                  |                            |
| 19,           | 68                         | 74    | 74      | .06                       |                  |                            |
| 20,           | 54                         | 82    | 70      |                           |                  |                            |
| 21,           | 50                         | 81    | 78      |                           |                  |                            |
| 22,           | 64                         | 84    | 78      |                           |                  |                            |
| 23,           | 62                         | 79    | 69      | .21                       |                  |                            |
| 24,           | 66                         | 73    | 68      |                           |                  |                            |
| 25,           | 56                         | 73    | 70      |                           |                  |                            |
| 26,           | 55                         | 75    | 70      |                           |                  |                            |
| 27,           | 60                         | 76    | 69      |                           |                  |                            |
| 28,           | 58                         | 66    | 70      |                           |                  |                            |
| 29,           | 66                         | 75    | 75      |                           |                  |                            |
| 30,           | 67                         | 80    | 72      | .36                       |                  |                            |
| 31,           | 70                         | 82    | 78      |                           |                  |                            |

Before 6 o'clock—1782 is the number of degrees of the Thermometer during the month.

Days.

1782÷31=57 add before 6.

2359÷31=76 add at Noon.

2173÷31=69 add at Sunset.

3)203

67 add mean average per day, during the

Sixth month.

The quantity of Rain that fell—Inches, 2.70.

Note.—On the night of the 4th there was a fall of 0.31.

## Profitable Farming in Pennsylvania.

[The following extract of a letter, is from one of the most respectable gentlemen of Pennsylvania, who may be relied upon for the correctness of the facts asserted. The articles produced on the farm, exclusive of the whiskey, hogs, and wheat, would certainly amount to sufficient to pay the expenses of the farm, and transportation of the three principal articles to market—the cattle would be worth about \$30 a head—\$600, if only twenty were fattened. With the article of butter alone, we learn verbally, he pays all his grocer's bills. A brief remark on this subject is sufficient—if we had more such farmers, we should hear less of hard times.]

Amer. Farmer.

Extract—Columbia, July 16, 1829.

Some time since I mentioned something respecting my son-in-law's farming, which you seemed surprised

at. I will now give you a statement of a part, so far as I know, all of which is raised on a farm not exceeding 300 acres. His people are, one grown man, and one not grown, but able to plough, one distiller, and two girls about the house, no slaves, no coloured people does he keep about him. During hay-making and harvesting, he is obliged to get a few more hands, say five or six, for about fifteen or twenty days. Mr. — does not work himself, but is always present to see it go on right.

The proceeds of whiskey sold in Baltimore, \$2,535  
67 hogs, - - - 569  
Wheat, say 500 bushels, at \$1.55, - - 775

\$3,877

In addition to this he takes many other articles to market which I am not able to make an estimate of. There is oats, barley, hay, fruit and butter; and he fattens from twenty to thirty head of large cattle every year; his land at this time will produce better crops than it did some years ago—you hear no noise, no bustle or confusion, about his house or farm; every thing moves on quietly. We have a hundred farmers in our county that do as well as Mr. —, and better too.

## STATEMENT

Of Flour and Meal exported from the Port of Philadelphia, during the month of July, 1829.

| Countries.                     | Sup. Fl.<br>barrels | Rye Fl.<br>barls. | Corn Meal<br>hhds/barls |
|--------------------------------|---------------------|-------------------|-------------------------|
| England, - - -                 | 11,770              | ....              | ....                    |
| British American Colonies, -   | 2,845               | 2,939             | 742                     |
| Chilian Ports, - - -           | 1,000               | ....              | ....                    |
| Montevideo, - - -              | 755                 | ....              | ....                    |
| Brazilian Ports, - - -         | 2,813               | ....              | ....                    |
| Colombian Ports on Atlantic, - | 1,439               | ....              | ....                    |
| Dutch West Indies, - - -       | 462                 | 100               | 162 269                 |
| Danish West Indies - - -       | 2,165               | 717               | 538 1,313               |
| Swedish W. Indies, - - -       | 100                 | 100               | 250 200                 |
| Cuba, - - -                    | 723                 | ....              | ....                    |
| Totals, - - -                  | 24,072              | 3,856             | 950 2,524               |

Comparative Import from New Orleans, from 1st October, to 5th August, for 1829. Sugar and Molasses from Attakapas included.

|          | Sugar.<br>hhds. | Molasses.<br>hhds. | Tobacco.<br>hhds. | Cotton.<br>bales. |
|----------|-----------------|--------------------|-------------------|-------------------|
| 1828     | 9,253           | 1,549              | 1,867             | 9,546             |
| 1829     | 11,558          | 2,992              | 1,140             | 2,673             |
| Increase | 2,305           | 1,443              |                   |                   |
| Decrease |                 |                    | 727               | 6,873             |

Phil. Price Current.

NORRISTOWN, Aug. 12.

Although this is generally considered the most unhealthy season of the year, our citizens continue to enjoy better health than they have done for a number of years—at present we do not know that any are confined by indisposition, and the business of our Physicians is so dull that two of them are now absent on excursions of pleasure. We have not recorded any deaths in our Borough since the 26th of June last. Report says that the country is much more infected with the Fever and Ague than this place.

Herald.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## SERGEANT'S DISCOURSE ON EDUCATION.

[Continued from page 110.]

That part of a course of liberal education, however, which has been most frequently assailed, is the study of the Greek and Roman Classics—what is emphatically called Classical learning. Some have insisted that it ought to be altogether excluded; and others, that it does not deserve to occupy so much of the time and attention of youth. Mr. Locke, who himself enjoyed the full benefit of the treasures of ancient learning, seems to make a compromise of the matter; for while he admits that the languages may be useful to those who are designed for the learned professions, or for the life of a gentleman without a profession, he seems to consider that they, as well as philosophy, are calculated rather to have an injurious effect upon the general character, than otherwise. The broader ground of entire exclusion, however, as has already been said, has had its advocates. Many years ago, a distinguished citizen of the United States, whose memory, let it be said, is entitled to great veneration, among other things for the example he gave of untiring industry and youthful vigor in his varied pursuits, continued to almost the last day of a long life, published an Essay, in which, with his usual ingenuity and force, he contested the value of Classical learning as a branch of education. It appears from a subsequent publication, by the same author, that this Essay produced many replies, and that it also produced a complimentary letter (now published with the Essay,) from a gentleman who is stated to have been at that time the Principal of an academy. In this letter, after complimenting the author, the writer proceeds as follows—"There is little taste for them (the learned languages,) in this place. In our academy, where there are near ninety students, not above nineteen are poring over Latin and Greek. One of these nineteen was lately addressed by a student of Arithmetic in the following language—"Pray, sir, can you resolve me, by your Latin, this question! If one bushel of corn cost four shillings, what cost fifty bushels?" A demand of this kind, from a youth, is to me a proof of the taste of Americans in the present day, who prefer the *useful* to the *ornamental*!" This was surely an extraordinary triumph over the poor Latinist, and a very singular evidence of what the good Principal was pleased to call "American taste!" Who ever imagined that the study of the Greek and Latin would teach a boy the first rules of Arithmetic? Or who was ever absurd enough to contend that Greek and Latin were to be taught to the exclusion of the simplest elements of pure Mathematics? They have their appropriate uses and advantages; but they do not profess to be themselves the whole of education, nor to accomplish every thing that is desirable. They do not give sight to the blind, nor hearing to the deaf, nor speech to the dumb; but when these faculties exist in their usual perfection—as is happily the case with the far greater part of mankind—and there is the ordinary portion of talent, they furnish an occupation, which is both useful and ornamental, which is not inconsistent with the necessary attainments in mathematics, and which may not only well go along with the acquisition of our own language, but is deemed to be indispensable to its accurate knowledge, and highest enjoyment.

But however feeble was the commentary of the Prin-

cipal, and however ignorant was the argument of the "student of arithmetic," yet, for him, it was not in a wrong spirit. Arithmetic was his pursuit, and it was fit that he should think well of it.—But the poor student of Latin! What could be expected from *his* labours in a Seminary where the study was systematically depreciated; and the head of it, from whom he was to look for encouragement and assistance, gloried (conscientiously, no doubt,) in having nearly expelled it from his school? The teacher might, and probably did, endeavour to perform his duty; but it must have been *boldly* and heartlessly done. Instead of breathing warmth and animation into the atmosphere, to invigorate the tender plants entrusted to his care, they must have been in imminent danger of being stunted in their growth, by chilling and withering indifference.

Of the opinions which have been mentioned, the one proposing entirely to exclude the ancient languages from a course of liberal instruction—and the other, to reduce the time and attention devoted to them, it would be difficult to say, that as applied to this country, the one is more to be deprecated than the other. Are the languages overtaught now? Will they bear a reduction? The reverse is known to be the fact. Compared with the teaching in the German schools, where the design is to make scholars, compared with the teaching in the schools of England, where the design, in addition to this, is to qualify men for all the higher employments of life, as well as for a life without particular employment, it can scarcely be said that here they are taught at all. Excepting in the profession of divinity, is it too strong to affirm that there is scarcely such a thing as scholarship? And even in that profession, how many are there, in proportion to the whole number engaged in its sacred duties, who would be able to encounter a learned Infidel with the weapons of ancient learning? We have eminent lawyers—we have distinguished physicians—enterprising and intelligent merchants—and a fund of general talent, capable of the highest elevation in every employment or pursuit of life. Occasionally we meet with one among them, commonly of the old stock, in whom are discerned the elegant influences of Classical literature.

But where are our eminent scholars? Where are the greater lights, ruling with a steady and diffusive splendour, and vindicating their claim to a place among the constellations which shine in the firmament of learning? Nay, how few are there among us, of our best educated men, who, if called upon to bring forth their stores, would be able to say with Queen Elizabeth, that they had "brushed up their Latin," or would have any Latin to brush up? The truth is that this branch of study is already at the very minimum, if not below it. It will not bear the least reduction. It positively requires to be increased in teaching, and raised in public esteem. Classical learning neither falls in showers, nor flows in streams. Here and there a solitary drop appears, sparkling and beautiful to be sure, like the last dew on a leaf, but too feeble, without the support of its kindred element, even to preserve itself, and utterly powerless to enrich or fructify the neighbouring soil. To propose a reduction, is therefore equivalent, at least, to an entire exclusion, if it be not worse. Less taught than it now is, or less esteemed, the teaching would be almost



a false pretence, and the learning a waste of time. It would be as well at once to blot it from the course, and, as far as in our power lies, to let the Greek and Latin languages sink into oblivion, and be lost in profound darkness, like that from which, by their single power, they have once recovered the world.

This would be a parricidal work for civilization and science. But if it is to be accomplished, the mode is not what is to characterize it as unnatural. Before we advance to a conclusion of such incalculable importance, let us first consider what it is, and then endeavour to be fully assured that it is right. If it be once decided that the study of the ancient languages can be dispensed with in a Collegiate education, and the honours of a College obtained without it, there is no difficulty in perceiving it must also be dropped in the preparatory schools. Why begin it, if it is not to be pursued? Why take up time in acquiring what is afterwards to be thrown aside as rubbish, and forgotten? Forgotten it inevitably will be, if it be entirely discontinued at the time of entering College. By what motives or arguments will a boy be persuaded to apply himself to learning in a Grammar School, what is not necessary to obtain for him the honours of a College, and what he is distinctly told will be of no use to him in life? It is absurd to think of it. The youngest child has sagacity enough to understand an argument, which coincides with his own inclination, and to apply it to the indulgence of his own natural love of ease. Tell him that he might as well be unemployed, and, without having ever studied logic, he will be very apt to jump at once to the seductive conclusion of idleness.

These languages, let it be remembered, have hitherto not merely formed a part, they have been the very basis of a liberal education. I might almost say they have been education itself. From the revival of letters to the present time, they have held this station, through a period of five hundred years, not in one country only, but in all the civilized world. They gained it by their own merits, and they have kept it by their unquestionable success. Would it be wise or prudent to cast them off, unless we were fully prepared to supply the large space they have occupied, by something equal, at least, if not superior? This is no metaphysical question; nor does the answer to it require the peculiar powers of Mr. Locke, mighty as they confessedly were. It is eminently a practical question, which common sense is fully able to decide. It may be stated thus; Education, having a given end, and a certain plan of education, having approved itself during some hundreds of years, and still continuing daily to approve itself to be well suited to attain that end, is it wise or rational to require that it shall be vindicated upon original grounds, and be rejected like a novelty, unless it can be justified to our complete satisfaction, by arguments *a priori*? That is a good time-keeper which keeps good time, no matter how constructed. That is good food which is found to nourish the body, whatever peptic precepts may say to the contrary. And that is good exercise, which gives vigour and grace to the limbs, even though a Chinese lady might not be allowed to use it. Against such a fact, once well established, argumentative objection ought to be unavailing, or there is an end to all just reasoning.

"What can we reason from, but what we know?"

This proof is manifest, in respect to nations, as it is in respect to individuals. It is astonishing, that Mr. Locke could have entertained the suggestion for a moment, that the study of the languages and philosophy was unfriendly to the formation of prudent and strong character, when he looked around upon his countrymen, and perceived, as he must have done, that they are not less distinguished for their attachment to these studies, than for what Burke has called "the family of grave and masculine virtues." Constancy, resolution, unconquerable spirit, a lofty determination never under any circumstances of adversity to admit the betraying counsels of fear, were not

more signally exhibited by the old Romans, when Hannibal, triumphant, & seemingly irresistible, from the slaughter at Cannæ, was thundering at the gates of Rome, than they have been by that nation, which Mr. Locke's genius has contributed to illustrate and adorn. This same study has gone hand in hand with every profession and pursuit, refining, exalting and dignifying them all. Theologians, statesmen, lawyers, physicians, poets, orators, philosophers, the votaries of science and of letters, have been disciplined and nourished by it, and under the influence of its culture have attained the highest excellence. The arts of life have, at the same time, kept on with steady pace, so that the people whom Cæsar spoke of as, in his "*Britannos toto orbe divisos*," now, if not in all respects at the very head of the European family, are certainly not inferior to any of its members. Let those who cavil at a liberal education, and those especially who question the value of the Greek and Latin languages, answer this fact. The tree cannot be bad which produces such fruit. It is unphilosophical to doubt the adequacy of a cause to produce a given effect, when we see that the effect is constantly produced by that cause; and it is unphilosophical to search for another cause, when we have found one that is sufficient. If the study of the ancient languages has been found, by long experience, to discipline and nourish the intellectual faculties, why should we doubt that it is efficacious for that purpose? Why should we go about to seek for something else, that if it succeed will but answer the same purpose—and if it fail, leaves us entirely destitute? One will flippantly tell us that it is spending too much time about words, which could be better employed about things. The great British lexicographer has unintentionally given some countenance to this notion in the Preface to his Dictionary. A man, who had accomplished such a labour, might be permitted, at its close, to feel the departure of the spirit which had sustained him in its progress, and in the pathetic melancholy of taking leave, so eloquently expressed as almost to draw tears from the reader, he might be allowed even to depreciate his own work, by admitting that "words are the daughters of earth, and that things are the sons of heaven." But even the authority of Dr. Johnson cannot be permitted thus to degrade the pedigree of words, or diminish their importance. Articulate sound is from heaven. Its origin is divine. The faculty of speech is the immediate gift of Him who made us, and its destitution (which his good Providence sometimes allows to occur) is felt to be a great calamity. Language—words—are the exercise of this faculty, as thought is the exercise of the faculty of thinking. The one is worthy of improvement as well as the other—nay, we can scarcely conceive of their separate existence, or their separate cultivation—and hence the first step in the instruction of the dumb is to teach them the use of language. Words without thought are idle and vain. Thought, without the power of expressing it, is barren and unproductive. "Proper words in proper places, is the point we all strive to attain; and this is what constitutes the perfection of the power of communicating with each other. It is true, therefore, that 'words are things;' and there is no better proof of it than this, that the most extraordinary, may I not say the most vulgar error sometimes obtains currency, by means of an epigrammatic sentence, by the mere charm of the collocation of words. The fact is, that they occupy our attention throughout our lives, and a greater or less command of them is one of the chief visible distinctions that mark the different orders of intelligence. The child is taught to speak, to spell and to read—the youth to declaim and to compose—and the man strives perpetually to improve and perfect himself in the use of language, by frequent exercise, and the study of the best models. Demosthenes is said to have copied the history of Thucydides eight times with his own hand, and to have committed the greater part of it to memory, merely to improve his style. His orations were composed with the utmost care; and they were



retouched, improved, and corrected with the minuteness of a Flemish painter—even to the alteration of parts of words. He was never satisfied till he had given the highest possible finish to his work. Was this an idle labour? More than two thousand years have since rolled by; and the language of Athens, in the days of Demosthenes, cannot be said to be now spoken in the world. Yet is he confessed to be the undisputed master in his noble art. His orations, said by a strong figure to have been as an earthquake in ancient Greece, still agitate the bosom which is sensible of the powers of eloquence, and offer the best model to its votaries.—Like the fine remains of the Grecian chisel, they stand in severe, but beautiful and commanding simplicity, as if conscious that their title to respect, being founded in nature and in truth, though perfected by consummate skill, was equally available in every age.\*

If it therefore be conceded that the study of the ancient languages is calculated to assist us in what is disparagingly termed the learning of words, or, as it ought to be expressed, in acquiring a good style—that it improves the taste, and corrects the judgment—this, though a part of its merits, would go far to vindicate its right to a place in every system of liberal education.

Sometimes it is objected, as it was by the Principal of an academy, already quoted, that an acquaintance with these languages is 'ornamental,' but not 'useful.' The meaning of this objection depends upon two words, which, appearing to be exact, are notwithstanding, as ambiguous, perhaps, as any in our vocabulary. They are often used without a definite sense in the mind of the speaker, and very seldom with any certainty of the same understanding on the part of the hearer. If it were necessary to endeavour to be precise on this subject, we might be permitted to say, that in the opinion of many very intelligent people, nothing is properly ornamental that is not in some way useful. But when we have thus disentangled ourselves of one perplexing word, we are obliged to encounter another. What is useful, and what is not useful? Are mankind agreed about it? By no means. How then are we to determine what is useful? The answer seems to be this—we are to arrive at a conclusion by considering man in his various relations, and thence inferring, as we justly may, that every thing is useful which contributes to the improvement or the innocent gratification of himself or of others, or qualifies him more effectually or acceptably to perform his duties. Does any one object to those exercises of youth, which give a graceful carriage to the body? Are good manners, the external graces, worthy to be cultivated, because they give pleasure to others? And are the graces of the intellect to be entirely neglected? Is the generous youth to be told that nothing is necessary but to be able to compute the cost of fifty bushels of corn? The proprieties, and even the elegancies of life, when they do not run away with the heart, nor interfere with the performance of serious duties, are well deserving our attention. But let it not be imagined, that in thus insisting upon the general argument of experience—the greatest of all teachers—in favour of Classical learning, or in answering one or two particular objections, it is meant to be conceded, that it cannot be vindicated upon original grounds. It can be, and it has been, repeatedly and triumphantly shown, that these unequalled languages, which, as was long ago said of them, "have put off flesh and blood, and become immutable," are precisely calculated to perform the most important general offices of a liberal education, in a man-

ner that no other known study will accomplish. They awaken attention, they develope and employ the reasoning faculty, they cultivate the taste, they nourish the seeds of the imagination, give employment to the memory, and, in a word, they discipline and invigorate, in due proportion, all the intellectual powers, and prepare them for orderly and effective exertion in all the varied exigencies which may require their action. Nor is this all. They lay the foundation of that learning which will abide with us, and increase our enjoyments in all the vicissitudes of life.

But the limits of a discourse would be unreasonably transcended, by an attempt to enter into a more particular examination of this part of the subject. Nor is it necessary that I should thus trespass upon your patience, already so largely taxed. Abler heads, and stronger hands—strong in good learning—have been repeatedly employed upon the work; and I should only enfeeble their demonstration, by attempting to restate the process. As a witness, however, stating the result of his observations, confirmed by the observations of others, I may be allowed to say, that to a young man, entering upon the study of a liberal profession, a thorough groundwork of Classical education is like a power gained in mechanics, or rather it is the foundation wanted by Archimedes for his fulcrum! It gives him a mastery of his studies which nothing else can supply. Of its other influences, allow me to quote to you the testimony of a distinguished female, who, to uncommon opportunities united extraordinary genius and power of observation, and is entirely free from all suspicion of partiality. "The English Universities, (says Madame de Staël, in her 'Germany,') have singularly contributed to diffuse among the people of England that knowledge of ancient languages and literature, which give to their orators and statesmen an information so liberal and brilliant. It is a mark of good taste to be acquainted with other things besides matters of business, *when one is thoroughly acquainted with them*; and, besides, the eloquence of free nations attaches itself to the history of Greeks and Romans, as to that of ancient fellow countrymen. . . . The study of languages, which forms the basis of instruction in Germany, is much more favorable to the progress of the faculties in infancy, than that of the Mathematics and Physical science." For this she quotes the admission of Pascal.

Some part of the doubt, which, in this country, has been insinuating itself into the public mind, is owing to the imperfect and insufficient manner in which the languages have been taught; or rather it should be said, in which they have been learned; for there has probably been at all times a disposition to teach them. Enough has not been acquired to fix a permanent taste in the student himself, or to demonstrate its value to others. The consequence is, that the graduate suffers his little stock to decay from neglect, and his parents and friends exclaim that learning is of no use. Another consequence is, that there is no scholar-like mind, to exert its influence upon the community, and operate upon the mass of public opinion. The corrective is in more thorough teaching. It will require more time and more labour from the student. But time thus employed, will be well employed. And as to labour—if he desire to arrive at excellence of any sort, he can learn nothing better than how to apply himself with diligence to the work that is before him. There is a great deal of affectation in the world, of facility and expedition in the performance of intellectual tasks—of doing things quickly, and without preparation or exertion, as if by an inspiration of genius, and differently from those, who, by way of derision, are called plodders! It is a poor affectation. Sometimes it is maintained at the expense of sincerity, by concealing the pains that are really taken. Oftener it is only the blustering of conscious weakness and indolence. The highest and surest talent—that which will hold out longest, and often reach the greatest elevation—the only talent, I might almost say, which

\*Cicero not only studied the Greek language, but to such an extent as to be able to declaim in it, and to excite the strong but melancholy admiration of Appoloni-us. "As for you, Cicero," he said, after hearing him declaim in Greek, "I praise and admire you: but I am concerned for the fate of Greece. She had nothing left her but the glory of eloquence and education, and you are carrying that too to Rome."

is given to man for intellectual achievement—is the talent of applying his faculties to produce a good result—that is, of labouring with success. No one need be ashamed of possessing, of exercising, or of cultivating it. The great lesson of life is to apply ourselves diligently to what is before us. Life itself is but a succession of moments. The largest affairs are made up of small parts.—The greatest reputation is but the accumulation of successive fruits, each carefully gathered and stored. The most learned scholar began with learning words. Every day is by itself a day of small things. But the sum of our days makes up our life—and the sum of our days' work makes up the work of our life. Let every one, therefore, who would arrive at distinction, remember, that the present moment is the one he is to improve, and apply himself diligently to its improvement.

## BIOGRAPHICAL MEMOIR OF

## MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 69.)

Congress, owing to the French minister's representations, as already mentioned, amusing themselves with notions of a speedy peace, and disregarding the early admonitions of Washington, had scarcely made any exertions for re-enlisting the army. But few recruits had arrived at camp before the middle of July, although a large part of the army dissolved in the course of the preceding spring and autumn, by the expiration of the terms of service for which the men were engaged. The American commander being inferior to his enemy in strength, could not act on the offensive; indeed, he was enabled to accomplish little more than to guard the defences off the Hudson. It was about this period that the celebrated Henry Laurens, in a letter to a friend, said, "Let us look around and inquire into the state of the army, the navy, the treasury—the view is truly affecting; but what is most of all to be deplored, is, the torpitude of national virtue; how many men are there, who now in secret say, could I have believed it would have come to this, I would—I am not one of this number."

For the purpose of effectually fortifying West Point, the commander-in-chief transferred his Head Quarters to that place; and in order to afford protection as far as practicable to the inhabitants, he stationed different bodies of troops on each side of the river, but not at so great distances apart as to prevent a speedy concentration of them in case of any emergency. The Light Infantry, under General Wayne, was posted at Fort Montgomery and in its vicinity, on the west side of the Hudson.

Lest it should become wearisome to the reader, the remainder of General Wayne's correspondence, during the campaign of 1779, will be greatly curtailed, and confined almost exclusively to military transactions, and particularly to letters between himself and the commander-in-chief. However, it is an act of justice due his memory, to say, that if this memoir would admit of a fuller introduction of correspondence, it could not fail in being interesting and instructive to both the politician and soldier, although the days have long since "gone by" which produced the occasion of it.

Dear General,—I am commanded by his Excellency, to inform you that he is anxious to have the sentiments of the general officers on certain points of importance, and has notified a meeting this afternoon, half past 4 o'clock. He would wish you to be present, if your wound will permit you to attend with convenience—the barge carries this, and can bring you down. If you will have time, he would be glad of your company to dinner. I am, your most obedient,

ALEXANDER HAMILTON.

HEAD QUARTERS, July 26th, 1779.

West Point, 27th July, 1779.

Sir,—The circumstances, situation and numbers of this army, as well as that of the enemy, which your Excellency was pleased to lay before the council of general officers last evening, I have fully considered, and I am of opinion, that something ought to be attempted, in order to draw General Clinton's attention towards King's Ferry, which will not only give great security to the states, but leave it in your power to cover this post, the possession of which, I believe to be the main object of the enemy, could they once draw your army out of protecting distance.

In order to effect this, I would propose that about 5000 men march, and one half of them take post in the vicinity of Smith's white house, and the remainder in front of Springsteel's, with their left on the river, north of Stony Point, and erect two batteries, one on the hill, upon the felled trees, in front of the point; the other on a high piece of ground, near the river, and north of King's Ferry, which enfilades, not only the works on Stony Point, but also commands Verplank's Point, from which positions there are roads leading to Springsteel's, passable with a little more opening, for our artillery, from whence they may be thrown into the gorge of the mountain, in the rear of Storm's, and there protected, should the enemy move up in force, so as to prevent us drawing them off by —.

I would not wish to make use of more than four pieces of ordnance on this side, i. e. two heavy twelves, and two 8 inch howitzers, on travelling carriages, with 100 rounds per gun.

I would, in addition to this movement, advise the stationing of one thousand men on the east side, with two travelling twelves, and one or more howitzers, that would serve to amuse or distract the enemy on Verplank's Point, keeping a good look-out down the river, so as to have timely notice of the enemy's approach, and to fall back occasionally —. The remainder of this letter is defaced by accident.

West Point, July 30th, 1779.

Dear Sir,—Your favour of this date came duly to hand; I shall certainly not undertake any thing capital, without your knowledge.

I wish for your opinion as a friend, not as commanding officer of the light troops, whether another attempt on Stony Point, by way of surprise, is eligible, in any other manner under present appearances and information; no good, I am sure, can result from it.

Lord Cornwallis is undoubtedly arrived, and I have information that bears all the marks of authenticity, that Admiral Arbuthnot, with the grand fleet, left Torbay, the 26th of May, with (as it is said) 7000 troops, Hessians and British, for America. A deserter, who left the city of New York on Tuesday last, says, it was reported that a number of transports had arrived at Sandy Hook; firing, he himself heard. I have not heard, nor is it my belief, that Lord Cornwallis supersedes Sir Harry.

I am, very sincerely and affectionately,

Dear Sir, yours,

GEO. WASHINGTON.

Fish Hill Landing, 31st July, 1779.

Dear General, it was not until 10 o'clock this morning, that I was honoured with your favour of yesterday, and not as commander of the Light Corps, but as your Excellency desires, I now give my opinion on the point you require.

The enemy will certainly profit, so far, by their late misfortune at Stony Point, as to provide for, or guard against a surprise, and to find out, and strengthen the most vulnerable and weak parts of their works. Indeed, they are at this time industriously employed in that very business, as well as fraising, and perhaps enclosing the old works, as you will see by the letter of equal date, with this herewith transmitted. But I am fully of opinion, that the Light Corps, with the addition of one thousand more picked men, and officers properly ap-

pointed, would carry that post, by assault, in the night, with the loss of between four and five hundred men, which is the least number I can think of calculating upon, supposing the enemy to be but one thousand strong, but should they be more, it will require a force, and consequently a loss, in proportion. This is my opinion, but if your Excellency should be of a different sentiment, and that this business ought to be attempted, I will, with the greatest cheerfulness, undertake the charge of executing it, although I am not quite recovered from my wound, unless your Excellency has some other officer in view more competent to the task.

Interim, believe me, yours,  
most affectionately.

ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

Towards the latter end of August, Admiral Arbuthnot, with the British fleet and reinforcement, arrived at New York. This event excited considerable anxiety in the public mind, respecting the army immediately under the command of General Washington, on and in the vicinity of the Hudson, in consequence of its weakened state, from causes which have been already given.

The following is a letter from General Wayne, to that truly patriotic and essentially serviceable man of the day, Richard Peters, Esq., in which he mentions the arrival of the British fleet, and the probable consequences of that occurrence—he also refers to the disastrous issue of an expedition against the fortifications on the Penobscot, which had been recently erected by Col. M'Lean, and a regiment under his command, by whom that part of Massachusetts had been invaded from Nova Scotia. The troops which composed the expedition were exclusively militia, of that state, amounting to between three and four thousand men, under Gen. Lovell, and conveyed by Commodore Saltonstall.

Says Gordon, in the history of the Revolutionary War, "The expedition against the fort was so wretchedly conducted as to do no credit, either to the General or Commodore. The army and sailors had to explore a great part of their way back by land, through thick woods and desert wastes."

Light Infantry Camp, near Fort  
Montgomery, 30th August, 1779. }

Dear Sir,—Yours, of the 11th of July, came to hand in the midst of a busy scene, but I introduced the song into the army, not by a non-commissioned officer, but under the patronage of some musical colonels, who have ushered it into their regiments with not a little *ecclat*. I wish for more of them, agreeing in sentiment with you, that those kind of songs are often attended with better effects than *some* resolves of Congress, or even of constitutional or republican societies.

You will, perhaps, wish to know something of the news and politics in this quarter—but these are matters which I seldom possess time to meddle with—however, I believe that the Massachusetts expedition against M'Lean, has cost us some thirty or forty vessels—among which are the Warren frigate, and several others of force—however, we are in hopes that *we shall not* have to exchange *veterans* for militia-men, as the latter are on their own terra firma, and understand a retrograde manoeuvre well, and which they will perform with the utmost velocity.

Admiral Arbuthnot, with the grand fleet and reinforcement of troops, arrived safely at New York, three days since. I may, therefore, venture to predict the near approach of a distressing, if not sanguinary campaign. I believe that I sported the same idea at an early period, and at a time when *some of my friends* were of a contrary opinion. However, I hold it unworthy of a generous mind, to recapitulate past errors—it is now our duty to exert every power to stem the torrent—and, although we cannot always command success, yet, I trust, we shall produce a conviction to the world, that we merit it.

My best and kindest wishes to Mrs. P., with congratulations on an addition to your family.

Yours, most affectionately.

ANTHONY WAYNE.

RICHARD PETERS, Esq.

There is so much good sense, truth, and pleasantry, interwoven in Mr. Peters' letter to the General, that it must not be withheld from the reader of this memoir:

Belmont, July 11th, 1779.

Dear Sir,—I heard an Irishman the other day, sing a very foolish ballad of three or four verses, yet its simplicity struck me, and I have, this rainy morning, scribbled the enclosed, from a hint which I caught from my Hibernian songster.—I have adopted, with a few alterations, the first verse, and except for another line or two, am answerable for both the folly and length of the rest. I send it to you that you may give it to some of your singing sergeants or corporals, as I wish the poor devil to be introduced into the army, under the protection of at least a non-commissioned officer. It goes to the tune of an Irish lilt, which I have often heard the fifers play. If my wares are vendible, perhaps I may, at some other time of leisure, furnish you with more of them. I do not trouble you with it from any view of credit I shall gain by it—but you must know that I am a great friend to ballads, and believe, that more can be achieved, by a few occasional simple songs, than by an hundred recommendations of Congress, especially considering how few attend to or read them. This is not singular, for it is the case with the public acts of all governments. I wish often to see ballads dispersed among the soldiery, which, inspiring in them a thirst for glory, patience under their hardships, a love of their General, and submission to their officers, would animate them to a cheerful discharge of their duty, and prompt them to undergo their hardships with a soldierly patience and pleasure. I confess that our army have exhibited constant proof of their virtue in all these particulars, to the astonishment of their enemies, and to the admiration of every true friend of our country and its cause. Yet the most trifling stimulus may sometimes be of service. I never descend to flattery; and you and I often have altercations on the detail of our affairs. You will, therefore, believe me, when I assure you, that in my most gloomy moments, for being much behind the curtain, I cannot avoid being troubled with uneasy feelings,—I look up for comfort and find it in the virtue of our army. I know you are not Saints, nor in all respects, Romans—but by mixing less with the *million*, you have more firmly retained your original principles, and have contracted little of that *pestiferous avarice*, which, unless speedily checked, will plunge our country into sure destruction. You may blame the day for the *gravity* of these observations, and believe me ever, your affectionate humble servant,

RICHARD PETERS.

P. S. I hear a Monsieur Noirmont is a major in the flying army; he is a modest, brave and worthy man. Do let me recommend him to your attention.

General WAYNE.

General Wayne being desirous of rendering to his country and General, every possible service which could be derived from the Light Corps, thus addressed the commander-in-chief:—

Fort Montgomery, 28th Sep. 1779.

Dear General,—I have, in company with several field officers, reconnoitred the ground in the vicinity of Haverstraw Forge,—also, the roads and avenues leading to it—and find a very strong and advantageous position, about a mile in the rear, or westward of the Forge,—each flank covered by strong ground, and roads to retire either by the left to Inne's, or under the foot of the mountain to Suffreins'. This position will at once cover the country—prevent trade being carried on with the enemy, and probably afford a field for *something* to be done in. One of the pickets will be posted in a position which affords a commanding and perfect view of Stony

Point, and every part of the river, from the lower end of Haverstraw Bay, as far up as Peekskill —. But, as a Light Corps, we have no occasion to be fixed, as to locality; we should move and take such position, from time to time, as will most distress and distract our enemy—we shall, by this means, use, or destroy the forage in that country, which, otherwise, will inevitably fall into the hands of the British. Should the siege of Stony Point take place, this will also be a proper position for part of the covering army—and the sooner we take post there the more we shall assist in facilitating its reduction, by preventing the obtaining of supplies of wood and forage. But should the proposition not meet your Excellency's approbation, perhaps you may suggest some other, that will give us more manœuvring—any move will be some alleviation to both officers and men, as our ordinary guards and reliefs require upwards of 600 rank and file, with a proportion of officers daily; these, together with the scouts and movements towards the enemy, keep us all on duty nearly two days out of three. Should this movement take place, our supplies will come from Pomptown, by the way of Suffreins'; we will require a few wagons; twelve will be sufficient for the purpose.

I will do myself the honour of waiting on you this afternoon, or to-morrow morning.

Interim, believe me, with sincere esteem, your Excellency's most obedient servant,

ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

HEAD QUARTERS,  
West Point, 29th Sept. 1779. }

Dear Sir,—It is agreeable to me that you should move with the Light Corps to the vicinity of West Point, on the principles proposed in your letter of yesterday. But as I should not be entirely without apprehensions for your security, the enemy having in their power secretly to reinforce their garrison, and make an attempt upon you, I shall write to Lord Stirling, directing him in some measure to co-operate with you, by advancing some troops towards your right flank, and as there is a regiment of cavalry about Paramus, it may be employed wholly or in part with you, if forage can be procured, as may be agreed between his lordship and yourself. You will apply to the Quartermaster General to furnish you with the number of wagons you stand in need of.

In your new situation you cannot possibly be too vigilant, as you will be somewhat exposed, and the enemy will, *no doubt*, have every disposition to retaliate the affront you gave them at Stony Point. You will always be ready to move at the shortest notice, whatever way the exigency of the service may require. You will see Lord Stirling, and concert with him a plan for mutual support.

I am, dear Sir, your most obedient servant,  
GEO. WASHINGTON.

General WAYNE.

General Duportail, a French officer, who is mentioned in the following letter, was early recommended to Congress as a celebrated engineer, and as such, his services were advantageously employed.

HEAD QUARTERS, Oct. 3d, 1779.

Dear Sir,—General Duportail proposes, to-morrow, a second time, to reconnoitre the post of Stony Point, and to ascertain the distances from the enemy's works to the place proper for establishing batteries. He will arrive there precisely by eleven o'clock. You will, therefore, please to have a covering or reconnoitring party, consisting of a regiment, ready at the second place, to which you went the other day,—not the high hill on which you first took your stand. This is the spot which General Du Portail points out, and he will be at the place punctually, at the time appointed. The officer commanding the party will take his orders from him. You will also send an escort to meet him at the house where you stopped the last time, to take refreshment,

on your return to camp, as he might otherwise mistake his route.

I am, dear Sir, your most obedient servant,  
GEO. WASHINGTON.

P. S. I am to request that you will take pains to ascertain whether the enemy have bomb-proofs in Stony Point, what number, extent, and thickness. This is an essential point to know towards any operations against that post.

G. W.

General Wayne, who was himself an accomplished mathematician, and good engineer, thus replied:—

Light Infantry Camp, near  
Haverstraw Forge, 5th Oct. 1779. }

Dear General,—The moment I received your favour of the 3d inst. which was not until 11 o'clock yesterday, I ordered out a covering party, and took with me some field officers, with an escort of a few dragoons, and proceeded to the place where General Duportail had appointed, but he had departed about half an hour before we arrived. I immediately detached a Light-horseman, who returned without coming up with him, after he had followed several miles.

I could wish that the General had sent me a note, as we were not more than three miles from him, and any of the inhabitants where he was would either have carried it, or conducted him to our camp. However, I will undertake to give your Excellency full satisfaction, as to the distances from the different points of attack, together with the respective elevations, provided you will please to direct the theodolite and chain, which we took at Stony Point, to be sent to us by the dragoon who delivers this. I believe the needle is lost; but there is more dependence on the limb of the theodolite, than can possibly be placed on any needle.

I wish to have the instruments to-morrow, as we shall make a grand forage in the vicinity of Stony Point, on Thursday, and I can effect both at the same time, under cover of the troops.

Agreeably to your Excellency's orders, I had an interview with Lord Stirling on Friday evening, and again on Saturday morning, but could not be understood as to the position which a part of his troops should take in order to cover my right and support each other. He was decidedly of opinion that Paramus, or its vicinity, was the most eligible position for that purpose, and accordingly marched in full force for that post, on Sunday morning; therefore, his troops yet remain about fifteen miles distant from our camp. I was to have met his lordship at Paramus that evening, to consult further on the occasion, which I omitted doing on hearing that he remained behind at his former quarters, deeming it, as I did, my duty first to secure my own corps; which I have accomplished by taking a position that effectually guards against a surprise, and secures a safe retreat in case of necessity. As soon as the forage and other business are effected, I shall again wait on him. But as he is perfectly acquainted with the country, I cannot pretend to advise him; although, as a military man, I cannot think that fifteen miles is within a proper supporting distance, when the situation of the enemy, as well as our own, is maturely considered.

I have a patrol constantly passing from Storm's to the Dunderburg look-out, so that no move of the enemy can take place by land, on this side the river, to West Point, which we shall not discover, and of which your Excellency may depend upon the earliest intelligence; but I think this a manœuvre rather to be wished than expected, as they never will commit themselves to the mountains, with the army in front, and this corps in the rear, without first attempting us.

By intelligence from different quarters, I am led to believe that Lord Cornwallis, with the troops said to have sailed, are yet on board their shipping, in the harbour of New York.

I am your Excellency's most obt. and very h'ble servt.  
ANTHONY WAYNE.

His Excellency, General WASHINGTON.

HEAD QUARTERS, }  
West Point, 6th Oc. 1779. }

Dear Sir,—I received yours of yesterday, last evening. It was entirely owing to the idleness of the express that the letter, informing you of the intended reconnoitring party, did not reach you in time. I send you by the dragon the theodolite taken at Stony Point. There is no chain belonging to it, you must supply that deficiency with a rope.

Paramus was not, in my opinion, the proper position for the whole of Lord Stirling's force, nor indeed of any part of it, to answer the purpose of covering your right flank. I have since written to his lordship to take a position that will, in conjunction with the Light Infantry, prevent the retreat of the enemy from Stony Point by land. This I have done upon a possibility that Count D'Estaing will be able, should he arrive, to run some light ships up the river, and prevent the evacuation by water.

His lordship will, I presume, by the time this reaches you, have so concerted measures with you as to answer the desired purpose, and tend to your mutual security. Be pleased to keep the matter of endeavouring to intercept the garrison, a secret.

I am, dear Sir, your most obedient servant,  
GEO. WASHINGTON.

General WAYNE.

Light Infantry Camp, near }  
Haverstraw, 6th October, 1779. }

My Lord,—I am this moment honoured with yours of yesterday, and I will attend your lordship at Paramus, on Friday morning. The accounts which I have received from different quarters, correspond with yours, that Count D'Estaing is off the coast, and that Lord Cornwallis is actually returned with all the troops said to have sailed with him, and now on board the shipping in York harbour.

The Vulture sloop of war has proved a little troublesome to us. I intend to try the effect of red-hot shot upon her to-morrow morning.

Interim, your obedient,  
ANTHONY WAYNE.

Lord STERLING.

Light Infantry Camp, 8th Oct. 1779.

Dear General,—You will please to consider this as supplementary to my letter of this morning, with the enclosed plan of the enemy's works at Stony Point, with the points of attack in case of investiture.

They have neither bomb-proofs nor a magazine. Their ammunition is kept on board of a sloop in the rear of the point, except a few rounds for their artillery, which are covered by two tents. They have one 32-pounder, mounted on the right, or north part of the works; one 18 on the left, or south side, a few fire-flies, and four 5½ and 4½ inch howitzers at intermediate distances between the two extremes, where 32 and 18 pounders are stationed, and in the block-houses.

I am of opinion, that two ~~32~~ two or three 12 pounders, on travelling carriages, with two 8 inch howitzers, will be a sufficiency of artillery to reduce this post, as the — have given way, and fallen in many parts of the works, especially the outward redoubt A, which, from the points A, B, & E, would soon be reduced, and a lodgment effected in its rear. A combined attack on Verplank's Point ought to take place at the same time, which would drive down the shipping and boats. Were two practicable breaches to be effected, and the block-houses demolished, I think we could carry the works by storm, with great ease, and I am fully of opinion, that the breaches may be effected in twenty-four hours, after possessing the advanced work A, which will be covered by the points C, E. What time it will occupy to destroy the block-houses, I cannot say; as that depends on a few lucky balls.—As to the probability of the enemy's attempting to compel us to raise the siege, your Excellency can better judge than

I; however, that attempt, I should presume, will depend on the arrival or non-arrival of Count D'Estaing.

Your very obedient servant,  
ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

## FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

## EARLY SETTLEMENTS ON DELAWARE.

*Book of Dutch Patents N A Folio 153.*

Wee William Keist Director Generall and Council under their high and mightynesses the Lords States Generall of the United Netherlands his highness of Orange and the Honourable gentlemen managers of the incorporated West India Company residing in New Netherland make known and declare by these presents that wee on the day of the date hereunder written have given and granted unto Abraham Planck Simon Root Jan Andrieson en Peter Harmense that they may settle themselves in the south river of New Netherland and take possession of the lands lying in the said river almost over against the little island called Vogelssant of which lands is granted to them in property to be taken up by them one hundred morgan of land to settle there four farms or plantations and to manure within one year after the date hereof and sooner if possible on pain of loosing this their action with these conditions and stipulations that the said persons or who may obtain their right shall acknowledge the honourable gentlemen managers before named for their lords and patrons under the sovereignty of their high and mightynesses subjecting themselves further unto all such rates and duties as by the honourable gentlemen are already established or yet to establish constituting therefore the before named Abraham Planck Simon Root Jan Andrieson en Peter Harmense in our state real and actual possessors of the aforesaid land lying on the west side of the south river to take up manure and use the same as they might do with other their patrimonial lands and effects without that wee the grantors in our aforesaid quality have in the least any part action or authority (on the aforesaid one hundred morgan of land nor reserve or retain on the same but disclaiming thereof from henceforth and for ever promising further to maintain observe and fulfill this transport firm sure infrangible and irrevocable all on penalty as directed by law In witness whereof these presents is signed by us and confirmed with our seal in Redd wax hereunto appending done at Fort Amsterdam it was promised to the said persons that if in time to come they should have occasion for more land the same shall be granted to them provided they Build Houses on the land for themselves to dwell in and if they go of and leave the Land to bee precluded of this their action was signed.

WILLEM KEIST.

by order of the Honourable the Director Generall and Council of New Netherland.

CORNELIUS VAN RUYVEN Secretaris in 1646.

*Book of Dutch Patents begunn the 26th February, 1654.  
Fo 61.*

Petrus Stuyvesant under their high and mightynesses the Lords states generall of the United Netherlands and the Honourable gentlemen managers of the incorporated West India company Director general of New Netherlands Curacao Bonayro Aruba and the dependences thereof and the Honourable Gentlemen of the council make known and declare that on the day of the date hereunder written Wee have given and granted unto Jacob de Hinse two lots lying in the south river nigh the fort Casimer the one in the first row being in number the eighteenth broad in front sixty two feet broad

in the Rear fifty six foot and in length on both sides three hundred foot the other in the second row being in number the sixty seventh broad in front fifty six foot broad in the rear fifty six foot and in length on both sides three hundred foot with express conditions and stipulations &c done at Amsterdam in New Netherland the twenty fifth of August in the year 1656

*In the same Book Folio 50.*

Petrus Stuyvesant under their High and mightynesses the Lords States General of the United Netherlands and the Honourable gentlemen of the incorporated West India company Director general of New Netherland Curacao Bonayro Aruba and the dependencies thereof and the honourable gentlemen of the council make known and declare that on the day of the date hereunder written wee have given unto Thomas Broen a plantation lying in the South river of New Netherland below the fort Casimer stretching on the East side to Cornelius Teunissen is broad on the southernmost side about East Eighteen Rodd on the East along Simon Leem about north north west hundred thirty and two rodd and along Cornelius Teunissen in Length about south south east on a hundred and thirty two Rodd amounts together two thousand fourty six Rodd with express conditions and stipulations &c—done at Amsterdam in New Netherland the twelfth of April in the year 1656

*In the same Book Folio 46.*

Petrus Stuyvesant, under their high and mightynesses the lords states general of the United Netherlands and the honourable gentlemen managers of the incorporated west india company Director general of New Netherland Curacao Bonayro Aruba and the dependencies thereof and the honourable gentlemen of the council make known and declare that on the day of the date hereunderwritten wee have given and granted unto Andries Hadde a lott for a house and garden lying in the south river of New Netherland nigh the fort Casimer being in number the fifteenth and bounded to the North of the Lot of John Andriesen and to the South, the lott of Sander Fenix is broad in front to the street sixty two feet Rynland measure and on both sides three hundred foot broad in the rear fifty six foot with express conditions and stipulations &c. done at Amsterdam in New Netherland the thirtieth day of November in the year 1656

*In the same Book Folio 47.*

Petrus Stuyvesant under their high and mightynesses the Lords States general of the United Netherlands and honourable gentlemen managers of the incorporated west india company director general of New Netherland Curacao Bonayro Aruba and the dependencies thereof and the honourable gentlemen of the council make known and declare that on the day of the date hereunder under written we have given and granted unto Alexander Boeyer a plantation lying in the south river of New Netherland to the northward of fort Casimer on the point between the first and second meadow at the south end of Frans Smith broad along the river side from the point of the meadow to the Land of the aforesaid Francis Smith north East and by East somewhat more Easterly sixty six rodd further along the said Smiths into the woods north north west a quarter of a point more Westerly a hundred and two rodd thence north north west fifty rodd thence to the meadow south west a hundred rodd thence along the meadow East South East fifty rodd thence west sixty rodd thence East and by south forty four rodd thence to the place were first departed from South East and by East fifty three rodd and herein are measured two points of meadow amounting together to about four and twenty morgan with express conditions and stipulations &c—the thirtieth day of November in the year 1656,

I the underwritten Abraham Gouverneur of the city of New York Gent Do testifie and declare that having been sundry times employed by persons living at New Castle upon Delaware river and thereabout's to search the Dutch records remaining in the secretaries office of the province of New York for sundry ancient patents granted by the dutch governor of this province of New York to the inhabitants there I was always directed by them to search the same as granted to some persons living in the south river of Netherland (and now called Delaware River) and that the settlement there now called New Castle was at first by the Dutch called Sandhock nigh fort Casimer and afterward when the Dutch West India Compy. sold the said river to the city of Amsterdam in Holland the said place was called New Amstel and I do further testifie that I have been sundry times at the said place now called New Castle and was there informed by the ancient inhabitants of the truth above written and even the said ancient inhabitants there when they spake Dutch called the said place Sandthoeck or New Amstel Witness my hand this twenty ninth of November 1726

ABRAH: GOUVERNEUR.

*Treaty of Peace and Alliance between Charles 2nd, King of Great Britain and the United Provinces of the Low Countries, done at Breda, July 31, 1667. [Extracted out of a collection of Treaties in 4 vols. fol. Amsterdam, 1700. Year of J. C. 1667 vol. 4 to page 211 translated from the Latin.]*

Art. 3. That all offences, damages and losses which the said Lord, the King and his subjects, or the aforesaid States General and their subjects on either during or before this war, at any time back for whatever cause or under whatever pretence the one has suffered from the other, shall be forgiven, forgotten and mutually yielded, and that the aforesaid peace, friendship and confederation may be preserved firm and unshaken, and that from this very day all occasions of new strifes and altercations may be prevented, it is further agreed that each party shall hold and possess for time to come, in full right of sovereignty, propriety and possession, all such countries, islands, towns, forts, places and colonies without exception, as during this war or before have been taken and kept from the other by force of arms and in what other manner soever, and as they occupied and enjoyed them the 10th day of May last.

*Treaty of Peace between Charles 2nd, King of England, and the United Provinces of the Low Countries, done at Westminster February 9, 1674.*

Art. 7. That the treaty concluded at Breda in the year of our Lord 1667, also all other preceding treaties by that treaty confirmed, shall be revived and remain in full vigour, in so far as their provisions are not contradicted by the present treaty.

#### LAW CASE.

JOSEPH JOHNSON,

vs.

JOHN DOUBTY,

} December Term, 1827.

The plaintiff shipped as a seaman on board the schooner Robert Burns, a registered vessel of the port of Philadelphia, of the burden of one hundred tons, owned by the defendant; on a voyage from Philadelphia to Port au Prince, which began on the 26th of June, and ended on the 15th of September, 1827, of which schooner Lemuel Doubty was master, at the wages of fifteen dollars per month, and signed shipping articles accordingly. During the voyage, and while at Port au Prince, the plaintiff fell sick of the yellow fever, and while sick, was asked by the captain if he would rather remain on board or go ashore to the 'Maison de Sante,' he chose the latter, and was removed to this hospital where he was cured of the fever, and continued his voyage to Philadelphia. The schooner was furnished dur-

ing the voyage with a sufficient medicine chest, pursuant to the act of Congress,—the question involved in this case, is whether the defendant is chargeable with the hospital bill incurred for him at the 'Maison de Sante,' or whether they are a charge against the vessel and owners.

If the plaintiff had been placed on shore by the master of the Robert Burns, with a view to the safety of the whole crew, it seems conceded that the bills at the 'Maison de Sante' would have been properly chargeable to the vessel and owners. The fact that this removal was the result of what is called choice is supposed to shift this liability to the plaintiff. If however, the choice of the seaman was that which the Marine Law, as well as the laws of humanity imposed on the captain, then this choice cannot relieve the vessel and owners from the responsibility resulting for the performance of a simple act of duty. If the moral law is consulted, it would clearly indicate that keeping a seaman, afflicted with that dreadful scourge of humanity, the yellow fever of the West Indies, on board a small vessel in mid-summer, in the midst of a healthy crew and without medical advice, would be an outrage on humanity as well as a gross dereliction of duty in a commanding officer. The choice of a seaman under such circumstances, if disease left the sufferer capacity to determine whether he should seek refuge on shore or remain on board, would in fact be a choice between life and death. The safety of the healthy part of the crew it would seem to me, equally require the removal of the plaintiff. Whatever may be the disputes of the learned as to contagion or whether yellow fever is of foreign or domestic origin, I think all would concur in opinion, that a seaman seized in a West India port with a yellow fever, ought not to be kept in the midst of a healthy crew, on board of a small schooner of one hundred tons, where accommodations under any circumstances are not inviting; but as well for his own safety as for the security of the health of his shipmates, should be conveyed on shore as promptly as possible. The ancient laws of Oleron determine that it is the *legal* duty of "the master to set on shore and to provide lodging and candle light for a sick seaman, and also to spare him one of the ship boys or hire a woman to attend him, and likewise to afford him such diet as is usual in the ship," 1. Peters appendix xvi. In Smith and Sims, 1. Peters 158, the authority of this ancient law is recognized by Judge Washington, and its principles adopted and enforced. It is true that the 7th article of the laws of Oleron does not seem to contemplate a liability of the master for any thing beyond those for a sick seaman, but as is justly observed by Judge Peters (1 vol. 256) "they would be more expensive than the converted charges" for hospital bills. "The charge for medical or chirurgical advice" says the Judge "is commonly mixed in the gross with the general items per day or week for boarding and attendance. The sailor must only pay the former, and if the merchant cannot specify the amount of this charge, he must pay it himself." To me there seems propriety and justice in this rule, because if foreign hospitals for the reception of the friendless and afflicted are conducted on the same principles with our own, the only real charges are for board and attendance, for which the ship and not the seaman is liable.—In those in which a different rule prevails, the merchant can readily relieve himself from any liability beyond what the marine law imposes, by causing the charges for advice and attendance to be separated.

It is well to observe that diseases of ordinary character seem to have been in the contemplation of the laws of Oleron, and to such cases Judge Peters seems to refer in the previous part of his remarks on hospital bills paid for such seamen sent on shore in foreign ports. When remarking on the case in which "one of a crew is seized with infectious disease," he distinctly says "that he should be removed from the rest and sent on shore, at the ship's expense, for the safety of the whole,

& the advantage of the owner who must count on extra disbursements, if he will trade to ports or places liable to such casualties, and that the charge should not be thrown on the sailor, and niceties insisted on to show that it was incurred at his request; it ought to be borne from motives both of humanity and justice." In these doctrines I entirely concur, and believing that under the general marine law, it was the duty of the master to put the plaintiff on shore, and provide him with necessary accommodations and attendance, I attach no sort of importance to the request made by the plaintiff, on which the defendant mainly relies. What he did the law commanded him to do, and the plaintiff's request cannot change the liability which resulted for his duty as master, and impose on the seaman what the law says shall be borne by the vessel.

On the subject of this vessel having on board a medicine chest, we say with Judge Peters that "although in ordinary cases having a medicine chest on board, may be a compliance with the act of Congress, exceptions should be made where dangerous diseases require, and compel extraordinary remedies and expenses." It never was in the contemplation of Congress, when providing a cumulative remedy for the security of seamen, to relieve the master and owners from the general obligation imposed by the marine law, to put on shore and sustain in a place of convenience and safety a sick seaman; at all events, not certainly in a case like the present, in which the seaman in port was attacked by one of the most fatal maladies incident to the human body, and in which a medicine chest in ignorant lands would be more likely to precipitate his fate, than remedy his disease. On the whole, I am of opinion that the plaintiff is entitled to receive his whole claim without deduction. Judgment accordingly.

## LAW CASE.

The Mechanic's and Working Men's Library Co. of Philadelphia,

vs.  
James Brown.

Before  
Justice Bryant.

This was an action brought against the Defendant on the 11th of August 1829, for damages in not discharging his duty with fidelity as a carrier of the Mechanics' Free Press, in consequence of which one of the subscribers withdrew his subscription, and a number of others declared they would, unless they received their papers according to contract. The Defendant being a poor man, the plaintiff's claimed but two dollars. The plaintiff's made out their case in the most satisfactory manner to the Magistrate. The Defendant stated it was a customary thing for carriers to neglect serving the papers regularly on some of the subscribers, and that he never knew an action to be brought for such neglect. This objection had no weight with his honor. Defendant then objected, that he was taken sick and unable to serve the papers; this objection was not proven.

The Justice said, if that fact had been proven it should have its due weight, but even in that case, the defendant would have been bound to perform his contract to the best of his ability. If he had been taken sick he ought to have apprized his employers as soon as possible, that they might have adopted measures to remedy the evil with as little inconvenience to the subscribers as possible.

The Magistrate rendered judgment in favour of the plaintiff's for two dollars, which was paid by defendant into the office and satisfaction entered.—*Mechanics' Free Press.*

*Large Indian Corn.*—The Pottstown Aurora acknowledges the receipt of two extraordinary large stalks of Indian Corn, sent to that office by Messrs.—Leaf and Eckert, of that borough. One of them (Mr. Leaf's) measures 13 feet 9 inches in length; the other about 13 feet 5 inches.



## PROCEEDINGS OF COUNCILS.

Tuesday Evening, Aug. 13th.

## SELECT COUNCIL.

Mr. Miller was called to the Chair.

The following communication from the Mayor was received and referred to a joint committee of two members of each Council, to Messrs. Toland and Reed, of the Select Council, and Oldenburg and Moss, of Common Council.

*Mayor's Office, Aug. 12th, 1829.*

Gentlemen—Existing ordinances place the appointment and removal of the City Watchmen and the power of transferring them from one station to another, entirely within the province of the City Commissioners. As this important body of police officers, comes more immediately under the notice of the Mayor, and as the main responsibility of their faithful enforcement of the laws and observance of their duties, devolves on him, it is important that he should be enabled to exercise, as occasion may require, a prompt and decisive controul. I suggest, therefore, that the City Commissioners be required to submit all appointments of the City Watch to the Mayor, for his approval, and I further recommend that the power of removal, upon the charge of incompetency or misconduct, and the right of transferring the Watchmen from one station to another, as the qualifications of the men, and the public interests may dictate, should be delegated to the Mayor. The power applied for is already vested in the case of the Captain and Lieutenant of the Watch; no objection is perceived to its extension, and its improper exercise may be suitably guarded against. An additional reason for the application is furnished by the increased engagements of the City Commissioners with the public works. Under the conviction, that the proposed measures, will be found to give increased activity and efficiency, to a very important branch of the Police, I respectfully submit them for your consideration, and am, Gentlemen,

Your obedient servant,

B. W. RICHARDS.

To the Select and Common Councils  
of the City of Philadelphia

The following communication from the City Commissioners was received and referred to the Committee of Ways and Means.

*City Commissioner's Office, Aug. 13, 1829.*

To the President and Members of the Select and Common Councils.

Gentlemen—The City Commissioners respectfully inform Councils, that the Mayor, under date of the 11th instant, has notified them, that appropriations No. 1, 4, and 9, are exhausted.

Under the appropriation for new paving, No. 1, in the southern district, from the south side of Walnut street to the south side of Cedar street, they have paved and curbed Drawbridge wharf; paved Gillies's alley; three twenty feet alleys between Locust and Spruce, and west of Twelfth street; Cedar street from 7th to 8th, and from 10th to 12th streets; Ninth street from Spruce to Lombard; Eleventh street from Spruce to Cedar; Thirteenth street from Walnut to Spruce.

In the middle district, from the south side of Mulberry to the south side of Walnut street, they have paved North alley from 5th to 6th streets; Prospect alley; Thirteenth street from High to Arch; George street from Broad to Schuylkill 8th; Chesnut street from Schuylkill 7th to 3d; Broad street from High, south, to Olive street.

In the northern district, from the south side of Mulberry to the north side of Vine street, they have paved Sergeant street; Webb's alley; Juniper street from Mulberry to Cherry; Walnut alley; Berry street; Lambert street; Norman's alley; Thirteenth street from Mulberry to Cherry; Say street from Schuylkill 7th to 8th; Vine

street from 11th to 12th; Sassafras street from 13th to Broad.

Several squares have been dug out preparatory to paving, but still unpaved. To complete these, and to pave the other streets, or parts of streets, ordered by resolutions of Councils passed in the current year, will require an additional appropriation of \$21,220.

Under No. 4, they have constructed a culvert in Cedar street, and another in Juniper street. They have also made six new stench traps to the old sewer in Cedar street, and have commenced the digging down of Pine near Schuylkill Front street, preparatory to the construction of a culvert. The several stench traps in the city are generally not well constructed. This is the case also of most of the inlets. The expense of cleansing them is enormous. To construct the culvert in Pine near Schuylkill, and to keep the inlets and stench traps in order during the remainder of the year, will, it is estimated, require an additional appropriation of 5,000 dollars.

An additional appropriation for No. 9, of 250 dollars, will also be necessary. The repairs done to the Mayor's office, to the blinds for the council chambers, and the purchase of fuel for the ensuing winter, have materially added to the draughts under this appropriation.

All which is respectfully submitted.

By order.

JOHN NORVELL, *City Clk.*

Mr. Thompson, as Chairman of the Committee of Ways and Means, stated that on the 6th August, he received the following letter from the Mayor, which he had laid before the Committee, and by their direction reported the ordinance.

*Mayor's Office, Aug. 6th, 1829.*

John W. Thompson, Esq.

Chairman Committee Ways &amp; Means.

Sir:—I beg leave, through you, to call the attention of the Committee to the state of the City Treasury.—The great extent of public works at present in progress, has induced corresponding drafts on the Treasury, and the time required for the preparation of new bonds for Tax Collectors, with other causes obvious to the Committee, and usually operating at this season, have prevented adequate collections and receipts. It would appear that a provision of more than \$30,000 must be made for the coming six weeks; at the expiration of which time an income from taxes may be expected. Under the impression that the deficiency might be of short duration, and that a special meeting of Councils was not demanded, the Treasurer and myself obtained a loan on the 23d of July, at 30 days, for \$15,000, at the Bank of Pennsylvania. My note, drawn unofficially, and endorsed by the Treasurer, was given for this amount, which falls due on the 23d and 24th inst.

The Committee will be better able than myself to judge of the amount necessary to be raised temporarily, and I very respectfully request their attention to such measures, for the next meeting of Councils, as they may deem proper in relation to the amount and terms of a loan and the authority for raising it.

I am, Gentlemen,

Very respectfully, your obt. servant,

B. W. RICHARDS.

Mr. Read, from the joint committee of Paving and Committee of Accounts, made a report, which was ordered to be printed for the use of the members of Councils. [This report will be found in the Philadelphia Gazette of the 15th instant.]

## COMMON COUNCIL.

President in the Chair.

Mr. O'Neil presented a petition from the inhabitants of New Jersey, who attend the Second street market, which was laid on the table.

Mr. Cooke presented a petition from the occupiers of stores in north Fourth street, praying that a pathway

may be made across said street. Referred to Paving Committee.

Mr. Johnson made a report similar to the one Mr. Read made to Select Council. Laid on the table.

Mr. Snyder, as Chairman of the Committee, made the following report and resolution, which was passed and concurred in by the Select Council.

Report that the Committee have purchased seventy cords of oak wood for the necessitous poor, and recommend the adoption of the following resolution:—

*Resolved*, by the Select and Common Councils, that the Mayor be authorised to draw his warrant on the City Treasurer, for the sum of two hundred and ninety-nine dollars and sixty cents, in favor of John Snyder, being the amount necessary to defray the expenses of purchasing seventy cords of oak wood for the use of the necessitous poor, and charge the same to appropriations made for that purpose.

Mr. O'Neil reported an ordinance relative to the Second street market, which was passed by the Common Council, but was postponed in the Select Council.

Mr. Johnson offered the following resolution relative to the State House Steeple, which was adopted by the Common Council, but was laid on the table in the Select Council.

Whereas, from the numerous quantities of boys and others, who daily ascend the interior of the steeple on the state house, (the greatest portion of whom collect there, from mere idle curiosity,) it is deemed necessary that some better regulation should be adopted for the admission of visitors.

Therefore, *Resolved*, by the Select and Common Councils, that the Committee on the steeple be requested to furnish the person having charge of the premises, with such instructions in writing as in their opinion will have a tendency to the preservation of order, and the safety of the public property.

The Committee of Accounts made the following report:—

That they have examined the accounts of the City Treasurer, from the 1st day of April to the 30th day of June, inclusive, compared the same with the vouchers, and found them correct, leaving a balance in his hands on said day, of \$11,543 58, which agrees with the Pennsylvania Bank Book exhibited to them.

They also report, that they have examined the City Treasurer's accounts of Dr. Benjamin Franklin's Legacy, from the 1st day of April to the 30th day of June, inclusive, and find the same correct, leaving a balance in his hands of \$301 34.—*U. S. Gaz.*

#### AMERICAN SILK.—No. 8.

Although I have been but a very short time in this country, I could not help observing that there is a very great division of opinions on the subject of *free trade* on the one side, and *prohibition and protection* on the other. I cannot open an American newspaper without seeing the words *Tariff*, *Anti-Tariff*, in capitals, italics, and in every variety of types, set in formidable array against each other. I am told that the country is very much agitated by these divisions, and from all appearances this agitation is not soon likely to subside. I have not a right, neither is it my business to interfere in this national controversy:

*Non nostrum inter vos tantas componere lites.*

But I may, I presume, stepping aside of the question, suggest views which will divest it of a great part of its importance, by offering a remedy to the evil which is felt and acknowledged on all hands; for nations are seldom agitated by theoretical controversies, unless under the pressure of some real and serious evil.

The evil that I allude to is the very great excess of importations from foreign countries over exportations; an excess which must at all events be paid for, either in articles of value or in *bankruptcies*.—The latter mode of payment never takes place but where the former is

impossible, and it cannot be denied that it is as ruinous to nations as to individuals. It destroys credit, which of all articles of commerce, is, perhaps, the most valuable.

If, therefore, a rich and growing article of exportation may be pointed out as an annual set-off to the excess of importations that I have mentioned, a real service will be rendered to the United States, without at all interfering with the important questions that occupy the minds of their statesmen and their citizens. I take the liberty of suggesting that that article is at hand, and it is AMERICAN SILK.

Cottons and wollens may justly be considered in a great measure as articles of necessity, and hence it is not to be wondered at that many should be of opinion that the United States should not be dependent for them on their commerce with foreign nations, liable to be interrupted by wars and by various other circumstances, and at all events in itself always of a fluctuating character and subject to various perils. But silk can never be considered in that point of view; it is an article of mere *luxury*, which governments have sometimes found it wise to prohibit altogether, at least to all whose rank and riches did not permit them to indulge in the use of it. I need not cite history for facts which are too well known to be called in question.

It is certain that the American ladies would be as handsome and as lovely in their muslins and chintzes, as they were some years ago, as if clad in the lutestrings, florentine and *gros de Naples* of Italy and France. The men use but little silk in their vestments, and for articles of furniture silks might be easily superseded by other stuffs not less elegant.—It is therefore greatly to be lamented that America should annually incur an enormous debt for an article of merchandize that might be so easily dispensed with. But as that cannot be avoided, there is no other remedy than to find the means of discharging it.

It appears from the Report made to Congress by their committee on Agriculture, on the 2d. of May, 1826, that in the year 1821 the importation of manufactured silks into the United States amounted to \$4,486,924, of which \$1,057,233 were exported, and by a gradual increase in the course of four years, that importation had so risen that it amounted in 1825 to \$10,271,527, of which only \$2,565,742 were exported leaving a balance of \$7,705,785 to be paid for. By the best information I have been able to obtain, it appears that the importation of silks, chiefly from France, has since that time gradually increased, so that the cost of that article for the present year may be estimated at no less than *thirteen or fourteen millions of dollars*; how much of it is exported, I cannot tell.

Fortunately for the United States the nations that supply this country with manufactured silk goods, are as much in want of the raw article, as their customers are of their fabrics. I have said in a former number that France imports annually chiefly from Italy, to the amount of thirty millions of francs of raw silks, while Great Britain purchases to that of one million eight hundred thousand pounds sterling. These two sums together exceed fourteen millions of American dollars, the presumed amount of the annual importation of silk goods into the United States.

This demand of Great Britain and France for raw silk is not stationary but increasing. This appears from the measures those powers have taken to encourage the farther importation of that article, and the success that has attended them. France has lately reduced the duty on it to five centimes (about one cent of American money) per pound. England has reduced it to 3 pence.\*

\*It is so stated in a speech of Mr. Grant, in the House of Commons, which will be presently mentioned. In an English price current, however of the month of June last, I find the duty on raw silks from Italy quoted at 1d. per pound. It would seem as if there had been a farther reduction.

The duty on *thrown silk* she has reduced to seven shillings a pound; but of that she imports little, because it is a branch of her own manufactures.

The effect of these reductions in Great Britain has been as stated by Mr. C. Grant, in his speech in the House of Commons, on the 14th of April last, [see the *Free Trade Advocate*, Vol. 2, No. 6, August 8, 1829,] that in the year 1823, before that measure took place, the total importation of raw and thrown silks amounted only to 2,432,286 lbs. That in the first quarter of 1824, the old system still subsisting, the quantity amounted to 532,000 pounds weight; and in the next quarter, after the new system came into operation, that quantity rose to 949,312 pounds of raw silk, and 135,312 lbs. of thrown silk, making together a total of 1,085,000. Mr. Grant added, that in the whole year of 1824, the quantity of raw silk imported was 3,540,906 lbs. and of thrown silk 452,469 lbs. making a total of 3,993,379 lbs. which compared to the 2,432,286 lbs. imported in the preceding year, showed a balance of 1,561,089 lbs. in favor of the new system of moderate, or rather, it might be said, of *non-taxation*.

Here, then, are two rich and increasing markets offered to the industry of the American people for the sale of their raw silks. I admit that they will be there in competition with other nations; but the superiority of their silk, which I have had the good fortune to be first to discover, or at least to point out, must in the end ensure them a preference over all, but, perhaps, those of Italy. England, as I have said, imports annually, or rather I should have said, imported in the year 1821, (for I am indebted for this fact to the deposition of Mr. Durant, on which I have before animadverted, but which I believe to be correct in this particular) raw silk to the amount of £1,800,000 sterling, which must have considerably increased since that time. Of that amount eight hundred thousand pounds were employed in the purchase of Bengal, and the same sum in that of Italian silks; the remaining two hundred thousand pounds were laid out in silks of China and Turkey, in equal proportions.

The Bengal silk, says Mr. Wilson, a witness examined before the House of Commons, (Report of Committee of Congress, p. 172) is defective in its preparation. But for that defect, it is highly probable that England would supply herself entirely from that quarter, as Bengal is a part of her dominions. She therefore buys no more from that country than she can help, as every manufacturer knows that defects in the preparation of raw silk can never afterwards be cured. Of course her Bengal silk can only be employed in the coarser manufactures, while those of Italy are used for her finer and more delicate stuffs. The raw silks of Turkey and China are also known to be inferior to those of Italy. Those of China come nearest to them; but England and France import very little from that country.—England imported from thence, in 1821, but £100,000 out of an amount of near two millions.

I conclude, from these premises, that the United States have a fair prospect of enriching themselves by the sale of raw silk, if they will but raise it in sufficient quantities, and prepare it in the manner that is required by the European manufacturers.

I shall pursue this subject in the next number.

J. D'HOMERGUE.

13th August, 1829.

#### MEMORIAL OF MASTER MARINERS.

At an adjourned meeting of the Master Mariners of the Port of Philadelphia, at the Merchants' Coffee House, on the evening of Friday, the 14th Aug. 1829, Captain Joseph Reynolds was called to the chair, and E. M. Donaldson, and Andrew D. Crosby, appointed secretaries.

The committee appointed at a former meeting, to prepare a memorial to Congress, praying relief from certain responsibilities, &c. presented the following memorial, which was read:

*To the Honourable the Senate and House of Representatives of the United States of America, in Congress assembled.*

The Memorial and Petition of the undersigned, Masters of Vessels, and others, citizens of the United States, respectfully show:

That, desirous to obtain from the National Legislature that protection for their private interests which is extended to others, and to which they deem themselves equally entitled, from the nature of their occupation, and upon sound principles of policy and law, they submit the following considerations:—

Every known system of jurisprudence, conforming to the obvious dictates of justice, has provided peculiar security for those who engage in certain pursuits or who contribute by the application of their labour to the attainment of important and necessary results. Some employments put so entirely at hazard the private means and prospects of individuals, and are yet so essential to the general safety and prosperity, that, by common consent, they who undertake them have been treated with favor and encouragement.

Seamen, in all civilized countries, and in almost every age, have had extended to them this species of legal partiality and preference. They have been regarded, as they have been called, the property of the nation. Distinct tribunals, wherein their rights may be asserted or their wrongs redressed, have been moulded for their accommodation. Indulgent facilities of proceeding have been permitted. And specific securities, or liens, for the wages of their service, have been provided and inflexibly enforced. That which we now know by the title of *admiralty jurisdiction*, and which late years have so firmly established, may be traced in the historical annals of very distant antiquity, sheltering and vindicating the otherwise houseless and friendless explorers of the sea. Among those people, especially, who plied an active commerce, and who gradually attained its refinements, this system has been cultivated and enlarged. Perceptible in the Code of Rome, it is distinguished in those of Rhodes, of Oleron, of Wisbuy, of the Southern free cities of Italy, and of the Northern Hanse Towns: and it flourishes, and has long flourished, in the modern maritime nations of Europe, especially in France and Great Britain. The Constitution of the U. States has expressly extended the range of their judiciary to "*all cases of admiralty and maritime jurisdiction*," and various acts of Congress have contributed to give precision and form to the exercise of this fundamental and salutary power.

In the practical application of great principles, however, impediments often arrive from local causes and habitual prejudices:—The early and long continued struggle in England, against the recognition of any doctrines or forms other than those of the Common Law, produced inconsistencies and embarrassments, which greater wisdom has not yet rectified, and some of which have unfortunately descended to us, with all the weight of settled and insurmountable authority. It is enough for the purpose of this Memorial to complain to your honorable bodies, that notwithstanding your memorialists do not cease to be seamen by having attained the highest grade of their profession, notwithstanding all the reasons of justice and of policy are alike applicable to them as to their subordinate associates, an arbitrary distinction is drawn to their disadvantage, and they are excluded by the force of British judicial precedents, from enjoying the principal protection accorded by the admiralty law to men of their vocation. In a word, master mariners are adjudged by English Courts, and accordingly also by American Courts, to be incompetent to proceed for their wages

in rem, or against the vessels they navigate: and to possess no lien thereon for their security.

With a view to induce your honorable bodies to restore them to what, in their belief, was the original position of their professional right, your Memorialists beg leave respectfully to urge:—*First*, That the general principles of policy which give the lien apply equally to them as to common sailors:—*Secondly*, That the dangers and hardships from which the lien was designed to rescue the sailors, are equally liable to assail your Memorialists:—And, *Thirdly*, That no good reason has been or can be given why they should not enjoy it.

1. Every community is interested in the active and unshackled industry of its citizens. To those who toil at home, and whose occasional appeal to the laws of the land do not interrupt their daily-business, the ordinary tribunals, and the usual process, however dilatory, are unaccompanied by serious mischiefs. But the seaman labours upon the ocean:—every hour of detention on shore is to him an hour of unproductive idleness:—and his skill, so useful to the country at large, requires almost unceasing exercise. It is then, a manifest policy, to afford him a prompt and certain mode of obtaining his just earnings, and to prepare him rapidly for successive adventures and voyages. Hence a whole crew may unite, in admiralty, in a single suit for wages:—hence they are at liberty to proceed against the vessel they have navigated or its owners, or its commander:—and hence, the general rule and language of this jurisdiction, that their claims are to be determined in the shortest space of time, or “*between tide and tide*.”

And why are this reasoning and this rule to find an exception in the case of the master mariner? His field of industry is the same—the ruinous consequences of a prolonged absence from it are his also—nor can it be deemed less important to preserve in full vigor his peculiar ability. Unless he also be hastened to renew his labors; if his hard earned means of maintenance be jeopardized, or be only attainable through the tardy troubles of litigation—of what use is the despatch of mere sailors? Can they act without him? and if they could, why is he whose past experience and virtues lift him to a scene of wider responsibility and greater utility, suddenly to lose the main spring of his industry, the certainty and speed of remuneration?

The Master's necessities are, indeed, generally speaking, more urgent than those of the Seaman, and unless the rapid avails of his toils supply his wants, he becomes chained to his hearth, sharing with his domestic circle, the bitterness of disappointment. Instead of diminishing his means and motives to exertion, it is the province of judicious and discriminating legislation to increase them.

2. The hazards of marine service arise not only from the winds and waves. By the fluctuation of commercial capital and credit among those on whom he is dependent, the seaman incurs still greater risk. The owner who is left in the actual or apparent enjoyment of both, may prove abruptly bankrupt—and who, in the general scramble for security, will watch over the interests of the absent, the unwarned, and confiding tars? Who will advance, on their behalf, as the first symptom of insolvency develops itself, and save from ruin, those who are unconsciously guiding and protecting the ship and cargo for the exclusive benefit of other creditors? Were the wages of sailors to depend, in these emergencies, upon a voluntary preference in their favour, equally just as generous;—in other words, were they not provided with the lien upon the vessel in which they are immured, their toils would go wholly unrewarded, and the triumph of their unwearying labors over hostile elements be instantly succeeded by unforeseen mortification and unmerited want.

Such would be the fate of the sailor; such is the fate of the master mariner. Singled out from all his companions of the same profession, the law abandons him alone to the casualties of trade and the disadvantages of

absence. His opportunities of information are no better than those of others; he is as little able to protect himself—a watery waste separates alike him and them from the theatre on which his destruction is acted;—and his subsequent labors are equally given for the preservation of property destined to yield him alone no return.

3. But wherefore has this distinction between the master and the sailor been drawn? What are the reasons for it? We have said that no good one has been or can be given, and we proceed briefly to show the truth of our assertion.

As early as the year 1700, and while yet the contest as to the introduction of Civil and Admiralty law in England raged with exasperation, the Court of King's Bench first pronounced a decision on this subject, and in order to preserve the exclusiveness of its own jurisdiction, denied to the master a lien upon his vessel for wages on the bold pretence that his services were rendered under a personal contract, and exclusively upon the credit of the owners. This decision and its reason have been since acquiesced in: nor could those enlightened Judges, LORD MANSFIELD and Sir WM. SCOTT, in 1779 or 1799, when obliged in their respective tribunals to adjudicate the same question, do more than submit to an authority, which was positive and arbitrary; though it might not “have its foundation in policy.”

And yet, why is the contract of the master to be deemed in its nature and origin more purely *personal* or more attaching to the credit of the owners, than the contract of the sailors? Both contracts are for marine services, of the same general character, on board the same ship, and during the same voyage.—While indeed the peremptory mandate of the law refuses a lien on the vessel to the master, he must necessarily, look solely to the responsibility of those who employ him: but give him the lien, for the very reasons that it is given to the sailors, or rather restore it to him, and his reliance will mainly if not solely be on that. His contract is *ad personam*, only because Judges have declared that it shall not be *ad rem*.

The reason thus given from high English authority does not seem to have been quite so conclusive and satisfactory to an equally high American juriconsult.—for one of the Judges of the Supreme Court of the United States, (the late eminent BROCKHOUST LIVINGSTON) while submitting to precedent on the very point, invokes other grounds, “sufficiently plausible,” as a foundation for the rule. What are these?

FIRST. “The inconvenience and expense to which owners would be subject, if on every dispute with the Master, he could take their vessel out of their hands by process in Admiralty.” The answers are obvious: The wages of the master, like those of the sailors, are due and payable only upon certain conditions, after the performance of certain services, or at stipulated periods; and until the owner is in default by failing to meet his engagements, the master could have no lien to enforce. Besides the master-mariners wish no more than to be placed on an equality in this respect with their sailors, and surely, if, “every dispute” now renders it competent to every sailor “to take the vessel out of the hands” of the owners, a power in the master to do the same would superadd very little further “inconvenience and expense.”

SECOND. “The lien which he has on the freight which he is to receive, is given as another reason why he (the master) should be debarred of a remedy against the vessel herself.” The lien on freight sounds well in theory, but is utterly nugatory in practice. No master mariner, solicitous to remain employed, can venture to impede the anticipated appropriations of freight. In outward voyages only does it become the subject of the captain's collection or control. And when, as it is often the case, in long and laborious enterprises, both ship and cargo belong to the same owner, it is nothing.

THIRD. “Being supposed to contract personally with the owners, so it has been thought proper not to per-

mit him (the master) to look elsewhere for satisfaction." And why not? The common sailor has various remedies; he may sue the owner, or he may sue the master; or he may libel the ship. If the existence of a formal contract precluded, in reason, a resort to the vessel, why are other resources open to every mariner workman except to the highest and best. In truth, the contract is one thing, and the security for its performance another.—The sailor's bargain is, in its nature and terms and forms, precisely as *personal* as that of the master; and yet he is empowered to look in all directions, while his officer is restricted to one only "for satisfaction." Where every thing else is similar, ought not the securities be so likewise?

Your Memorialists have fruitlessly attempted to discover other reasons than the ones thus noticed for what they cannot but consider an unjust discrimination to their prejudice: and having curiously combatted these reasons, they confidently conclude in the words of an eminent civilian, Arthur Brown, whose views agree with theirs, that as no "stable distinction can ever be found, but in the internal nature of the agreement to be enforced, the master mariner should have the ship for his security as well as the common sailor."

Conscious of desiring nothing incompatible with freedom, safety, and energy of commercial business, your Memorialists anticipate, for this appeal to your legislative interference, the cordial co-operation and sanction of every just and generous merchant or ship-owner in their country. They therefore, respectfully pray that an act of congress may be passed giving to masters a lien upon the vessel they navigate for their wages, analogous in principle and effect to the sixth section of the act passed on the 20th July, 1790, entitled "An Act for the Government and Regulation of Seamen in the Merchant's service," with such amendments and modifications as to the wisdom of your honorable bodies may seem necessary and proper.

And they will ever pray, &c.

The following resolutions were then offered and adopted unanimously:

Resolved, That this meeting approve of the memorial, and that a committee of three be named to procure signatures to it, and hand it over to one of the members of Congress from this place. Whereupon, Captains P. Hays, S. Toby, and Andrew D. Crosby, were appointed.

Resolved, That the committee forward copies of said memorial, together with the minutes of this meeting, to the principal sea ports of the U. States, with a circular requesting the master mariners to call meetings for the purpose of co-operating in this undertaking.

Ordered, that the proceedings of this meeting be published. Adjourned.

[Signed] JOSEPH REYNOLDS, Chairman.  
E. M. DONNALDSON, } Secretaries.  
ANDREW D. CROSBY, }

### THE WEST BRANCH.

It has ever been a subject of astonishment and regret to the inhabitants of the West Branch, that the only division of the Pennsylvania Canal, which, if completed, would with absolute certainty, yield an immediate revenue to the commonwealth, has been the most neglected. The revenue of the West Branch will be permanent, supplied from the interminable mineral resources with which our hills and valleys are so richly stored, and not subject to fluctuations incident to an agricultural trade. When we say that the West Branch canal will yield an immediate and permanent revenue, we do not reckon without our host; our assertion is supported by incontrovertible facts. The mineral wealth of our country is daily developing, and that which was merely speculation yesterday, is amply demonstrated to-day. Upwards of twenty different coal mines have been opened, and are at present opening, in Clearfield

county. In Lycoming there are several coal mines now in active operation, and iron manufactories are springing up upon almost every stream that has a sufficient power to propel the machinery. In Centre more than a thousand tons are annually manufactured and sent to a market by the Susquehanna, and the coal of Clearfield is used in Centre to a considerable extent. Many of the Clearfield coal mines have been opened for years, and, notwithstanding the great expense and danger incident to the river transportation; a vast quantity is annually sent to a sea board market. We have been credibly informed that a single individual, Peter A. Karthaus, Esq. during the last spring freshets, transported one hundred thousand bushels from his own mines to the Baltimore market. And that if a constant communication was afforded by canal or rail road, he would be able to send a million of bushels to the Atlantic market. We will here take the opportunity of remarking that much credit is due Mr. Karthaus for the zeal in the cause of internal improvement, and his untiring exertions to promote West Branch interest, by developing her mineral resources, and other natural advantages.

The coal mines upon the Lycoming creek will also yield abundantly; and a company of enterprising men are at present engaged in opening an extensive mine of superior coal upon the Tango Stootack. And what adds materially to the advantages of the West Branch coal, the fact that it is the only coal yet discovered in the commonwealth that is perfectly bituminous. The coal found upon the Lehigh, and Schuylkill, the Mahanoy, the Shamokin, and the Wyoming, and hence cannot compete with the bituminous; because it cannot be applied to manufacturing purposes.

Then suppose we send two millions of bushels of coal per annum, from the various mines upon the West Branch as soon as the canal is completed, we assert, and do so with confidence, that it will yield, independent of the iron trade, and the products of the husbandman, more revenue to the commonwealth than any other collateral branch of the Pennsylvania canal. The weight of 2,000,000 bushels of coal is near 70,000 tons. The toll upon which, from the mines to Northumberland point, will be about one dollar per ton, and from thence to a market, perhaps another dollar; which would make 70,000 to Northumberland, and double that sum to its destination.

Then, it may be asked, with all the inducements to prosecute the West Branch improvements to a speedy completion, why is it that they are treated with "cold neglect?" Why is it that forty miles on the North Branch, and but twenty on the West Branch have been put under contract? and we verily believe "there has been something rotten in the state of Denmark." It cannot be because our advantages, and our claims upon the state, were not laid before the legislature. Our representatives ably and faithfully performed their duty, they again and again impressed upon that body the importance of an uninterrupted water communication upon the West Branch; and had it at length granted to them, under many limitations as a matter of courtesy.—Under the act, moreover, which they did finally obtain, the canal is only authorised to be constructed to the mouth of Bald Eagle! whereas it ought to be continued at least eighty miles further; and unless provision is hereafter made for connecting it with the coal region of Clearfield county, either by slack water navigation or rail road, it will never benefit that country.—*Lycoming Gazette*.

A brilliant meteor was observed in the sky over this place, after eight o'clock on last Tuesday evening, passing in a south-westerly direction. It illuminated our streets so as to make objects distinctly visible; and the streak which designated its course was perceptible during several minutes. We presume it was the same meteor that was seen, about the same hour, at Carlisle and at Mount Carbon.—*Harrisburg Chron.*

# THE SCHWENCKFELDIANS OF MONTGOMERY COUNTY, PA.

We received the Edict inserted below from a friend in Easton, Pennsylvania, and give it publicity, together with the few notes subjoined, as a curious document which deserves to be recorded as further illustrating a portion of the history of our country. The Edict, we believe, has never before been published. The copy from which this is transcribed is in the possession of Daniel Wagener, of Easton. The translation is supposed to have been made by Melchior Wagener, of Montgomery county, who died many years ago, and who was himself one of the emigrants to whom the paper refers.

## EDICT

Concerning the re-establishment of the so called Swenckfeldians in Silesia, and other Provinces of his Royal Majesty; De dato Selowitz, the 8th March, 1742.

We, Frederick, by the Grace of God, King of Prussia, Margrave of Brandenburg, Arch-Chamberlain and Elector of the Holy Roman Empire, &c. &c.

Be it known to all to whom these presents may come, Whereas we do hold nothing to be more contrary to Nature, Reason, and the Principles of the Christian Religion, as the forcing of the subjects' consciences, and to persecute them about any erroneous doctrines which do not concern the fundamental principles of the Christian Religion; so have we most graciously resolved that the so called Schwenckfeldians who were exiled, through an imprudent zeal for Religion, to the irreparable damage of commerce and the country, be recalled into our Sovereign Duchy of Nether-Silesia. We have, therefore, thought fit by these presents to assure all those who profess the said doctrine, upon our Royal word, that they shall and may safely return not only into our Sovereign Duchy of the Nether-Silesia, but also into all our provinces, peaceably to live and trade there; since we not only do receive them into our special protection, but also will give them all necessary supplies for the promotion of their commerce. And all those who, several years ago, were deprived of their habitations and estates in our country of Silesia, in case those estates are not paid for by the new possessors, shall be reinstated without any compensation. Such as will settle in our villages shall have farms assigned them, and care shall be taken to provide them employment—and those who choose to live in towns, shall, besides several ordinary Free years,\* have places assigned them gratis, for the building of their houses, for which purposes they need only apply to our Military and [Domanen] Chambers.

We do therefore command our superior Colleges of Justice and Finance, as also all mediate Princes, Lords, Magistrates, &c. carefully to observe the same. In witness whereof we have signed this present Edict with our own hand, and caused our Royal Seal to be affixed. Done at Selowitz, March 8th, 1742.

FREDERICK of Coccey,  
Count of Munchan. [SEAL.]

The emigrants here referred to, were originally inhabitants of Silesia, and, as we learn from our correspondent, did not exceed one hundred in number. They were distinguished at home, for honesty, sobriety, and industry; and had, by the many excellent traits in their character, attached to them the good wishes and kind offices of those with whom they associated. On hearing of the decree by which their opinions were denounced, they commenced their journey in the beginning of the year 1739, with very little money, and travelled on foot to the Rhine. They were prevented from disposing of their property, chiefly, it is believed, in consequence

\* We presume this phrase implies immunity from taxation.

of a prohibitory edict preventing sale, or confiscating in case of emigration. Having determined to depart for America, they proceeded to Amsterdam, where, meeting with friends who commiserated their condition, and supplied them with what was necessary to render their voyage as comfortable as possible, they embarked for Philadelphia. It deserves to be mentioned, that a mercantile house in Amsterdam furnished, *without charge*, the ship that conveyed them hither. After a favourable voyage they arrived safely in Philadelphia, and immediately settled in Montgomery, at that time a part of the county of Philadelphia. Industrious and economical, they soon enjoyed the respect of their neighbours, and at an early period acquiring farms, in the vicinity of Skippack, Flour Town, Kusher-upper, and other places. There are, at this time, several churches belonging to these people in Montgomery county.

The Edict was issued about three years after their landing in this country, and notwithstanding its promises of aid and protection, not one Schwenckfeldian returned.

It is worthy of being recorded, that when the house in Amsterdam, which generously furnished the ship, or their descendants, were reduced to difficult circumstances in the year 1790, the Schwenckfeldians in Pennsylvania, in remembrance of past kindness, promptly advanced a considerable sum\* for their relief.—Ed.† *Phil. Monthly Mag.*

\* Seven hundred pounds, or about 3000 dollars.

† It is probable that some details in relation to these people might prove interesting; we request any one who may possess such information to communicate it.

## TRAVELLING.

*Sunbury, Penn. August 10.*—Many of our friends in the city are not aware of the facility of travelling in this section of country, thinking this part of the state *too far back* to have good roads, horses, and coaches, and on that account do not visit the beautiful vallies of the Susquehanna. But we can boast of as rapid and cheap travelling as any of our neighbours. We have two daily stages passing through this place twice every day, (Sundays excepted, on which day there is but one,)—one by the way of Pottsville to Philadelphia—the other by the way of Harrisburg to Philadelphia, Baltimore, &c.—the return stages passing through about three o'clock in the afternoon, to meet the North and West Branch stages at Northumberland.—Persons leaving Sunbury at nine o'clock in the morning, get into Philadelphia in the afternoon of the next day—passing thro' Pottsville, Orwigsburg, Reading, Pottstown Norristown, & Germantown. To the eye of the painter or the poet, the country is romantic, being interspersed with hills & dales—little rivulets flowing here and there, undisturbed, as they wind their way down the sides of the mountains, seeking the "wide abyss of the ocean." To the capitalist it presents many inducements—abounding with ore, coal, and other minerals, which, when worked, will richly pay the proprietor for his trouble. To the man of pleasure this route also holds forth objects worthy his attention. Accommodations are good; the roads fine, the country picturesque. Many gentlemen, this summer, have taken this route, and express themselves as being highly pleased. Travelling to the Susquehanna, and along its banks, is becoming more general every year, and we are not at all surprised to see the stages frequently filled with passengers, seeking various amusements or business, to employ their time.

The route passing through Harrisburg and Lancaster is pleasant and expeditious—the country, one of the richest in the Union—the roads good and accommodations excellent. You have the Susquehanna gliding along near the road, the whole distance to Harrisburg.—There you take the celebrated Lancaster turnpike, and pass over the ground at a very rapid rate, arriving at Philadelphia in about two days. Gentlemen visiting

this country generally take one line coming, and the other going, so as to give both a fair trial.

Carriages, gigs, &c. have been passing through, here in more abundance than during any preceding season, and we have the prospect of seeing the Susquehanna country, in this direction, one of the fashionable resorts of the citizens of our metropolis.—*Susquehanna Exportum.*

Yonk, Aug. 11.

We have understood that the premium was awarded to Mr. Charles Nes, of this borough, for the best specimen of domestic wine exhibited to the "Wine Convention" which met on the 1st inst. at Mr. Upp's vineyard. Wines from many of the vineyards in this county, and of various kinds of grape, were exhibited, but no report of the examinations, save of the general result, has reached us. Those who were present at the exhibition express themselves decidedly well pleased with the progress made in the culture of the grape, and the promise thus given that wine will be speedily and permanently added to the staple products of our country.

*Recorder.*

**Pennsylvania Canal.**—In the course of the last week, three feet of water was let into the Canal opposite Duncan's Island, and the work at the Red Hill and Hunter's Falls tested. At both places, it was perfectly water tight. A little more repairing will render the canal fit for navigation from Duncan's Island to Harrisburg. Between Harrisburg and Middletown some repairing is also to be done, but it is not expected that many days will be required to do it. The only heavy work is the raising of the dam at Duncan's Island, which is in competent hands. Altogether, we feel confident that this twenty-four miles of Canal will be navigable in September. Persons intimately acquainted with the state of the Juniata division of the canal, say it will be fit for navigation from Duncan's Island to Lewistown, in September, with the exception of the aqueduct at the mouth of the Juniata, which cannot be completed this season.

*Harrisburg Chron.*

**Iron Manufacture in Venango County.**—Extract from a letter received from a highly respectable gentleman at Franklin, Venango County.

"The quantity of pig metal manufactured in this county, in the year 1828, was about 1600 tons, of bloom 200 tons, of bar iron 100 tons.—The pig metal, except what was used for making iron, was sold at Pittsburgh, Steubenville, and Wheeling, at from 35 to \$40 per ton; the blooms at Pittsburgh, for \$100 per ton, and the bar iron here, at 125 to 140 per ton.

"Several new furnaces are erecting; the demand is rapidly increasing. None of the furnaces were properly pushed last year, except one.

"With proper management, a furnace will make from 800 to 1000 tons per annum, which can be made at an expense of from 22 to 24 dollars per ton, according to the price of provisions; and with ore, timber, &c. convenient and good, at about 18 to 20 dollars. Under proper management and good materials, a furnace will clear, at present prices, ten thousand dollars per annum."

By an assay of parts of a Spanish dollar made at the Mint, it appears that  
100 dollars in quarters of the ordinary circulation, are worth only \$94 44  
100 dollars in eighths, 90 52  
10 dollars in sixteenths, 8 94

193 90  
Loss on \$210, 16 10

\$210 00

Making the real value of Quarters about 23½ cents.  
Do. Elevenpenny bitts, 11 do.  
Do. Fivepenny bitts, 5 do.

*Mint of the United States, }  
August 19, 1829. }*

Certain paragraphs relative to the parts of the Spanish dollar, having recently appeared in the public prints, tending to introduce a disturbance into our currency, not warranted by a full view of the facts, some notice of the subject is considered due to the public.

The Spanish silver coins now in the United States, taken together, are of an intrinsic value, equal to that at which they pass in ordinary circulation. If a deposit were made for coinage, consisting of Spanish dollars and the several parts thereof, in that proportion of each, which actually prevails, the operation, it is confidently believed, would incur no loss to the depositor.

The parts of the Spanish dollar, considered alone, are of less than their nominal value. The quarters may, however, be estimated as intrinsically worth twenty-four cents, within a minute fraction, and the subordinate parts nearly in that proportion. They are diminished in value by use, more conspicuously than coins of a higher denomination, from being more constantly in service, and exposing a much larger surface in proportion to their weight. To this disproportionate reduction, small coins are unavoidably liable. Our own are not exempt from it. Nor does it appear in what manner the purposes of change are to be accomplished, with the desirable uniformity, by metallic money, except on the condition, that the public, for the common benefit, shall acquiesce in the circulation of small coins, at their nominal value, although reduced somewhat below it by the effects of use.

The subject, it is known, is now undergoing an investigation, which will probably, at no distant period, result in the adjustment of it on general principles, by the only authority competent to adopt measures, for introducing into the currency, a copious supply of the smaller denominations of our own coin, and to determine the time and manner of withdrawing from circulation, all others which have been made a legal tender. Partial and local proceedings in relation to it, would therefore seem inexpedient at this time. Under present circumstances, they would probably have no other results than to accumulate the coins alluded to, in the hands of individuals, at depressed rates, to be returned upon the community, after a short interval, at their nominal value.—*Phil. Gaz.*

PITTSBURG, August 11.

**The Canal.**—The Packet Boat General Lacock, and the Pittsburg and Blairsville Packet, passed through the river locks,—the former descending and the latter ascending,—on the 9th. Yesterday the navigation of the canal may be said to have been formally commenced, though some parts of it have been in profitable use for a considerable time past.

A canal boat, laden with 130 bushels of salt, arrived yesterday from the Kiskeminetias works.

Mr. Samuel Marshall, of this city, has obtained a patent for a new method of cutting leather, &c. to be made into boots, whereby those important articles of dress may be fitted to the human foot with the greatest precision.

*Appointment by the Governor.*

JOSEPH McILVAINE, Esq. to be the Recorder of the city of Philadelphia, in place of Joseph Reed, Esq. resigned.

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EDITED BY SAMUEL HAZARD.

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## BIOGRAPHICAL MEMOIR OF

### MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 19.)

Notwithstanding the arrival of reinforcements from England, Sir Henry did not make any grand attempt on the army of Washington, posted on each side of the Hudson; indeed, he durst not venture to attack him whilst in possession of his strong positions on the Highlands. He, therefore, resolved to concentrate the greater part of the troops on York Island, for the purpose of placing the works at that place in such a condition as to resist the American army, in case it should attack them in the absence of the detachments which he had contemplated to send southwardly, in aid of his troops, then carrying on the war in South Carolina and Georgia. With this latter view, Cornwallis was actually embarked with a strong reinforcement, but he was ordered to debark as soon as Sir Henry was apprised that a powerful fleet, under Count D'Estaing, with 7000 land troops, was on the American coast. This fact also being known to the American commander-in-chief, induced him to relinquish, at least for the time, his intention of laying siege to Stony Point, as will be discovered from the following letter:—

Head Quarters, West Point.

Dear Sir,—I have your favour of yesterday, enclosing a sketch of the bearings and distance of the grounds contiguous to Stony Point. It is not to our interest to disturb the enemy at that, or any other detached post, *just now*. Under present circumstances, we should endeavour to keep them as much separated as possible, for if part of my plan, recommended to the Count, can be carried into execution, we shall put it out of the power of the detachments to join the main body. I would, therefore, wish that the enemy may be lulled into security, rather than alarmed. A small time will determine whether those posts, or a greater object, shall engage our attention.

I am, with great regard, dear Sir,  
Your most obedient servant,  
GEO. WASHINGTON.

General WAYNE.

Heights of Haverstraw,  
14th October, 1779.

Dear General,—The appearance of the number of vessels in Haverstraw Bay was a little exaggerated.—There is not the least sign of an alteration in the garrison, except that they are employed in erecting a magazine. Had not your Excellency given a hint, a few days since, that you wished to lull, rather than alarm the enemy, I should have been tempted, since the arrival of the Virginia line, to have asked for the artillery I mentioned, which I have ground to believe we should have used with effect, or obliged the enemy to move up in force, and relinquish every other operation, without much injuring us. General Woodford has taken post near Smith's tavern, about three miles on my right, and one mile in the rear of the meeting-house. Our present position gives us perfect security, excepting against very superior numbers, and in that case we have a safe retreat. You request a sketch of Stony Point—

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enclosed is the only one which I possess; I have taken a good deal of pains, and incurred some risk to determine the respective lines of fire as delineated on the plan.

I have the honor to be,  
Your Excellency's obedient,  
ANTHONY WAYNE.

Sir Henry, still labouring under an apprehension that a combined attack would probably be made on him at York Island, and being desirous to guard against the evil consequences of such an event, as far as practicable, called the aid of the garrison of Stony and Verplank's Points to his fortifications about New York. On the 21st October, General Wayne addressed the Commander-in-chief.

Light Infantry Camp, 21st October, }  
1779, Half past one, P. M. }

About 10 o'clock last evening, I received intelligence that a number of flat-bottomed boats and several vessels were moving up Haverstraw bay. The troops were ordered to lay on their arms, and several patrols were detached towards the enemy's lines to observe their motion, the whole concurring that some capital move was in agitation, but we could not discover whether it was an embarkation or debarkation.

At twelve o'clock, A. M., I put the troops in motion, in order to strike the enemy in flank the moment they should pass the morass, and endeavour to enter with them; but all continued very quiet until daylight, when I observed them busily employed in embarking their cannon and baggage. About 10 o'clock they began to demolish the parapets and fraising on Verplanka, but they had not attempted anything of that sort at Stony Point; they appeared to be waiting for the tide of ebb.

I have sent for General Woodford's artillery, and I am determined to prevent them from destroying the face of their works at Stony Point. They will, probably, burn and blow up the block-houses. I shall only keep a Captain's guard at Stony Point until I hear further from your Excellency, for be assured the works will be in our possession this night. The moment we enter them, I shall announce it to you by the firing of five cannon, observing the time of half a minute between each gun.

Interim, I am your Excellency's  
Most obdt. and very humble serv't,  
ANTHONY WAYNE.

Light Infantry Camp, 22d October, 1779.

Dear General,—I received your two favours of the 21st, by Dr. Johnston and the express—the first at four in the afternoon, the latter at 11 o'clock last evening.

I did myself the honour to announce to you yesterday, the evacuation of Stony and Verplank's Points—on which occasion I met your idea of caution in taking possession of that post, as I apprehended more danger from the enemy after the evacuation, than from any enterprise whilst they held those works. At present all is quiet, and their shipping out of view.

Colonel Johnson will inform your Excellency of the state of the works; all the blockhouses are destroyed, with some of the sing and parapets, but the far

greater part is perfect, and very little of the abbatis injured.

I only keep a Captain's guard at Stony Point in the day time, and withdraw him at night.—As the object which drew us to this position is now removed, and the forage chiefly consumed, I shall expect your Excellency's orders to take some other post—perhaps the vicinity of Hackensack or Acquahenunk bridge may be the most proper at present, for unless we forage in that quarter, the enemy certainly will do so.

I am, your Excellency's obedient,

ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

HEAD QUARTERS,  
West Point, 27th Oct. 1779. }

Dear Sir,—Yours, dated one o'clock this morning, reached me at 7. You will probably be soon informed more certainly of the real strength of the enemy, and what seems to be their intention. Should you find it more than a forage, you will endeavour to collect the militia lately ordered out, some of whom are, I suppose, by this time at their rendezvous at Pomptown, and many more undoubtedly at their place of battalion rendezvous.

I have sent an express to General Sullivan, and have directed him to bend his march towards Morristown, and to send forward some officers to you, to know your situation, and that of the enemy, that he may, should there be occasion, fall lower down than Morristown. There is a considerable quantity of forage along the mountain, and probably a good many cattle; the destruction of the former and the capture of the latter, may perhaps be the intention of the enemy. We have, likewise, a number of flat boats at Middlebrooke. You will attend to those several matters, as being, in my opinion, most material, and be pleased to keep me constantly advised of all occurrences.

I am, dear Sir, your most obedient servant,

GEO. WASHINGTON.

P. S. You will make use of Baylor's dragoons, if you have not already taken them with you.

New Bridge, 4th Nov. 1779. }  
9 o'clock, P. M. }

Dear General,—We marched in force to the English neighbourhood, on Tuesday morning, for the purpose of making a grand forage between this place and Bergetown, which we have effected without opposition. The troops will return to their camp near Paramus this evening.

We found at, and brought off from Winhook and Bergen, upwards of one hundred head of fat cattle, and a considerable quantity of grain, for which I have directed certificates to be given, although I have some suspicions that the greater part was designed for the enemy, who, from every observation I could make, and I reconnoitred them very minutely, I am of an opinion that they are preparing for an evacuation; in this idea I am joined by most of the field officers. A great number of their shipping was at the watering place, and others falling down. At 12 o'clock, yesterday, being young flood, a signal was fixed at that place, when they began to unfurl their topsails in order to make room for others to water. The person at whose house I was, says, they water in rotation, being space sufficient for only a part to water at the same time; what corroborates the idea of an evacuation, is, that they had intelligence of our being out two days, and, although there are three large encampments at and near Fort Washington, from which they might, with great ease, have thrown over a sufficient number of troops to oblige us to repossess this bridge, yet they looked on coolly, and suffered us to carry off the forage and cattle, which, heretofore, they used to count upon as their own.

Whilst I was at Winhook, a Captain of a vessel, who had made his escape from a prison ship the night before

last, informed Captain Bowman, who had charge of a piquet, that the enemy had embarked 12,000 men, said to be destined for Georgia, but that the inhabitants were greatly apprehensive that a total evacuation was about to take place. However, he says that he is confident a very great proportion of his troops are about to embark; but this I only give as his report. I have procured some people who reside in full view of New York and Fort Washington, to watch their motions, so that if any more should take place, you may expect the earliest intelligence.

Your Excellency's most obdt. servant,

ANTHONY WAYNE.

Camp at Acquahenunk Bridge, }  
18th November, 1779. }

Dear General.—The false alarm the other day prevented Colonel Putnam from executing the business upon which he went, and the rascally inhabitants have since driven in their cattle to Powles Hook, except about forty head, which were brought off yesterday by Captain Bowman, whilst part of the field officers and myself were reconnoitring the enemy in the vicinity of Fort Washington. We had an idea of striking those on the north side of King's Bridge, by taking the advantage of a stormy night, and embarking on board boats at Chester, falling down with the tide, and landing in the rear of their works, and entering their encampment, which was of considerable extent, with fixed bayonets, and after settling the business there, to carry the works, if practicable; otherwise to pass them, and retire by Phillips' and over Croten bridge: but the enemy have foreclosed us in this manœuvre, by withdrawing their troops and demolishing Fort Independence, and every other work on the main, except a redoubt on the ground, known by the name of the "Three Trees"—facts of which your Excellency must have received intelligence before this time. They have thrown up four rebutments between Laurel Hill and the North River, in front of Fort Washington, and which they have joined together by a strong stockade and abbatis. I have received intelligence of an intended forage by the enemy in the English neighbourhood, and that it is to take place about the full of the moon. I expect to hear more of the matter, of which you shall have the earliest notice.

Interim, your Excellency's

Very obedient servant,

ANTHONY WAYNE.

HEAD QUARTERS,  
West Point, 20th Nov. 1779. }

Dear Sir,—I was yesterday favoured with yours of the 18th. It would have been a very desirable thing to have wound up the campaign by a successful strike upon the enemy before they retire within King's Bridge. I have no doubt but if, in the course of your enquiries into their situation, the enterprise had been found warrantable, you would have given me information before any movements would have been made. This, when the execution of a measure of any consequence does not depend upon the movement, is absolutely necessary, and would probably have been evidenced in the matter you had in contemplation, had it gone on, for I had resolved to attempt the same enterprise, to be executed in the same manner you mention, by water, by the troops at Verplank's Point and its vicinity. General Howe was down, and sent persons into the enemy's camp, to obtain the necessary information, just as they went within the bridge. I have been thus full to show how much depends upon communication, and how far two well meant and well concerted plans might have defeated each, had we have been ignorant of each other's designs.

I am, with great regard, dear Sir, your most obedient servant,

GEO. WASHINGTON.

Brigadier General WAYNE.

Light Infantry Camp, ?  
Second River, 25th Nov. 1779. }

Dear General,—I was honored with your favour of the 20th inst. the day before yesterday, on the margin of the North river, opposite Fort Washington, and must conclude that I have omitted a word or two in my letter of the 18th inst.; but you Excellency has done me justice in supposing that I would not attempt any thing capital without giving you previous notice, and obtaining your permission. Indeed, in this instance, we could not have effected our designs, but without your Excellency's concurrence, as the boats must have been furnished by your order; and when I said that we had determined to strike the enemy's camp on the north side of King's bridge, I could have no other idea but by your Excellency's approbation. All I regret is, that we had not adopted the plan sooner, or that the enemy had delayed a few days longer. For be assured we should have succeeded to our most sanguine wishes.

I intend to reconnoitre Staten Island: if any thing can be attempted there with a fair prospect of success, I shall attend your Excellency on the occasion.

Inclosed are the proceedings of a general court martial of this corps, on Patrick Obrian. I am told that he is an old offender in this way. Whether, in this instance, it was from the effects of liquor, as the Pennsylvania and Connecticut troops had received some state stores the morning preceding, or from what other cause I cannot say, but some soldiers belonging to these states aided in the mutiny, and they have been punished in a very exemplary manner,—i. e. by receiving from three hundred to five hundred lashes per man, which have made all the other bodies exceedingly orderly and quiet. I should be glad of your Excellency's determination on Obrian's sentence, as he has been sometime in confinement.

I did myself the honor of sending you Revington's paper of the 20th, by Captain Jones, of Baylor's dragoons, by which it appears that the enemy were not a little elated on the southern affair, and have given a *hint* to Congress, by which they ought to profit; i. e. that the term for which a great part of your army was enlisted is nearly expired, of which I have some ground to believe Mr. Clinton means to take an advantage this winter, otherwise he will certainly leave the continent.

I am your Excellency's most obedient,  
ANTHONY WAYNE.

HEAD QUARTERS, ?  
West Point, 27th Nov. 1779. }

Dear Sir,—I find some embarrassment in deciding on Obrian's sentence. We do not see the multiplying of executions produce the effects for which they were intended; and for many reasons it is not a desirable thing to lose men in examples of this kind, unless in case of the most apparent necessity. I would be directed in some measure by the consequences which a pardon might occasion; and if these could not be of any consideration, he may be confined for some time, under the fear of the punishment sentenced him by the court, and then liberated.

Fort Stanwix still remains in our possession, without any other attack than what you find in the New York papers. I had anticipated the *hint* which you have taken notice of, by a very full representation on the subject to Congress.

I am, dear Sir, your most obedient servant,  
GEO. WASHINGTON.

Brigadier General WAYNE.

So soon as Sir Henry Clinton's preparations for a movement had clearly indicated that the south was his main object, General Washington obtained permission of Congress to detach the Virginia line to the aid of the southern army. On this occasion he thus addressed General Wayne:—

HEAD QUARTERS, ?  
Morris Town, 8th Dec. 1779. }

Dear Sir,—The troops of the state of Virginia being

ordered by Congress to Philadelphia, you will be pleased to order the officers and men of that line, at present with the light infantry, to march immediately to Philadelphia; where they will meet the remainder of the line. Should the baggage of any of the officers be with the regiments to which they properly belong, some persons should be sent up, who may see it sent forward with the baggage of the line.

I am, dear Sir, your most obedient servant,  
GEO. WASHINGTON.

General WAYNE.

The General, who was celebrated for his promptness in the execution of every military or civil duty which his station imposed on him, replied:—

Light Infantry Camp, 9th Dec. 1779.

Dear General,—In obedience to your's of yesterday, Colonel Febiger, with the Virginia light infantry, will march to-morrow morning at eight o'clock; but, for want of shoes, must carry a great many of his people in wagons.

There are a considerable number of our men totally barefoot, and many more will soon be in the same predicament, unless we receive a speedy supply of this necessary article. It is true, that some of the regiments and brigades have forwarded a partial supply of clothing, but have totally withheld the shoes; perhaps they have drawn none, or mean to preserve them until the infantry join the line; they also refuse to supply men in the place of those whose term of service have expired, on the presumption of a speedy dissolution of the corps, which idea has also prevented me from being more pressing, if possible, on the occasion.

Address of the officers of the Virginia Light Infantry to General Wayne.

Light Infantry Camp, ?  
Second River, December 9th, 1779. }

Dear Sir,—The officers of the Virginia line, who have had the honor of being commanded by you in the Light Infantry, beg leave to return you their sincere thanks for the repeated marks of esteem and politeness you have expressed towards them.

They entertain the highest veneration and respect for your character, both as a military man and a gentleman.

Under these circumstances, we feel the greatest regret, especially at so short a notice, to be separated from a corps we love and a General we honor. Accept, therefore, dear Sir, those sentiments of our esteem, and believe us, after wishing you every future happiness, success, and prosperity, to be, with the most cordial affection and respect.

Your most obedient, and most humble servts. At the unanimous request, and in behalf of the

Virginia officers in the Light Infantry.

CHRISTIAN FEBIGER, Colonel.

The honorable Brigadier

General WAYNE.

Light Infantry Camp, ?  
Second River, 9th Dec. 1779. }

Dear Sir,—The approbation of my conduct by a corps so respectable as the officers of the Virginia Light Infantry, must inevitably afford the sincerest pleasure. That attention which they are pleased to attribute to politeness, was the effect of their own merit, which will always ensure the esteem of the General who has the honor to command them.

Permit me, therefore, to return my most grateful thanks to them and you, Sir, for this mark of respect, and believe me to be, with singular esteem.

Your most obedient and humble servt,  
ANTHONY WAYNE.

Col. FEBIGER, For himself  
and officers of Virginia  
Light Infantry.

HEAD QUARTERS, Morristown, ?  
15th December, 1779. }

Dear Sir, Yours of yesterday came to hand late last night.

I had received an account, by some gentlemen from Newark, that the fleet had certainly sailed—which I find by yours was premature. The same account mentioned that a great number of flat boats and some horse were on board. I would wish you to endeavour to ascertain the truth of these circumstances. It is probable they are waiting until they are fully informed of the situation of the French fleet. I shall immediately send Mr. Pendleton's letter to General Knox. While the enemy remain in New York, there seems a necessity of the Light Corps continuing its present position. If any of the officers are in want of necessities, which they have not with them, I think they had best send for them, as the time of their stay below is so very uncertain.

I am, dear Sir, your most obedt. servt,

GEORGE WASHINGTON.

General WAYNE.

Light Infantry Camp, }  
12th December, 1779. }

Dear General,—I have nothing new from the enemy but I hourly expect my Mercury.

Was I to hazard an opinion, it would be, that no embarkation will take place until the sun has paid his visit to, and on his return from, the tropic of Capricorn; because seamen always dread the tropical more than the equinoctial storms. Should Sir Henry Clinton possess those talents necessary to constitute a General of so powerful an army as he now commands; should he have fortitude to bear the calumny of the world, and tacitly commit his military character to a temporary—, his business is still to keep up the idea of an embarkation until we have huddled, sent off our horses, a great proportion of our officers absent on furlough, and the term of service of a large part of our army expired. I say shall he be the General, he would then make a rapid push in full force for our debilitated camp—where, if he should be unfortunate, he cannot sink lower than he already is; but if successful, his military character will shine with some lustre, and put him in a condition to act in any other quarter, leaving a small garrison at New York, as it would require some time for us to recover our loss, or be in a situation to disturb or put them in danger, whilst he might roam at large with impunity.

I forgot to mention the deficiency of field officers with this corps, there being only three on the ground exclusive of Major Moore, who was on his way from Philadelphia to camp, where your Excellency did me the honor to call at my quarters. I have detained him ever since, to take charge of the two Pennsylvania Light Companies that were in Colonel Febiger's regiment, which I have annexed to Colonel Butler's until your Excellency's pleasure is known.

The shoes have not yet arrived, nor has the Maryland line furnished any men in place of those whose terms of service are expired. Two or three such nights as the last will give an opening for either us or the enemy to strike. I, therefore, wish the men and shoes, so as to be prepared for either.

You will have goodness enough to excuse this freedom, and believe me, in every vicissitude of fortune, ready to serve you, with the best service of your Excellency's

Most obedient and humble servant,  
His Excellency,

ANTHONY WAYNE.

General WASHINGTON.

HEAD QUARTERS, }  
Morristown, 20th Dec. 1779. }

Dear Sir,—I have been favoured with your letter of the 18th. Of the objects that claim the enemy's attention, it is difficult to determine which is their choice. Should circumstances prevent them making detachments, or from the prosecution of any remote enterprise which they may have designed, and their whole force be thereby detained in this quarter, such an attempt as you have suggested is by no means improbable.

The doing of something would become a matter of necessity. It would appear, however, that much of their

present seeming embarrassment is owing to the Count, with his squadron, remaining on our coast.

I should not have the smallest objection to Major Moore's continuing with you, did not his duties in the line of the army, as Brigade Major, and Brigade Inspector, render his presence here indispensable. That I may be enabled to complete the field officers in which you are deficient, you will be pleased to return the number wanted, and the lines from which they are to be drawn.

I have directed an equivalent of men from the Maryland troops for those whose time of service have expired and left you. The two Pennsylvania companies may remain in Col. Butler's regiment, where you have placed them, at least for the present.

The shoes have not yet reached us, nor is there a single pair in the store. I am not less anxious than you are to have the men speedily furnished with this article, and shall give you notice the moment they arrive. Our situation with respect to provision or flour is nowise preferable to yours. Nothing is left undone to bring forward a proper supply: till this can be effected, you must eke out your quota with as much parsimony as possible.

I am, dear Sir,

Your obedient and humble servant,

GEORGE WASHINGTON.

Second River, 21st Dec. 1779.

Dear General,—Last Saturday a considerable number of transports fell down to Redhook, and on Sunday morning, about ten o'clock, they weighed anchor and fell lower; but whether there were any troops on board, or whether they went further down than the Narrows, the informant cannot tell, as he could not possibly pass to New York on account of the ice. He has since gone over with another to Staten Island, from whom I expect to hear either this night or in the morning.

I am just setting off for Bergen: the rivers are all fast as far as Powles Hook. If an attempt against that post should be deemed advisable, we cannot stir for want of clothing, but more particularly for want of shoes, of which article two-thirds of our people are totally destitute,—which circumstance almost disqualifies us for either offence or defence in this inclement season.

The Brigade Quartermaster is now, and has been absent some days, in order to procure a supply; but I have not learned, as yet, his success. I am sorry to say that our prospects of a competent supply of provisions is very gloomy; which, together with our other wants, renders the situation of the troops extremely distressing. However, it is our duty to cast a veil over the worst, and only show the best side of the picture; and should matters become more desperate, we can, at all events, feed ourselves.

Your Excellency's most obedient servant,

ANTHONY WAYNE.

P. S. Just as I closed this address, I was honored with yours of yesterday, and sincerely regret our mutual privations. Since my writing last, Lieutenant Colonel Hay has joined us. I understand that Major Hull and Major Steward are on their return. There will then be wanting one Lieutenant Colonel from the Massachusetts line, for Colonel Putnam's regiment.—One Lieutenant Colonel from the Connecticut line, for Colonel Meigs, and one field officer from the Pennsylvania line, for the two companies that were with Febiger.

#### *Appointments by the Governor.*

BENJAMIN M'KEEHAN, Esq. to be a Justice of the peace in the district numbered 6, composed of the township of West Pennsboro', in the county of Cumberland.

WILLIAM SENSEMAN, Esq. to be a Justice of the peace in the district numbered 8, composed of the townships of East Pennsboro' and Silver Spring, in the county of Cumberland.

## PROCEEDINGS

*Of the Convention for the Province of Pennsylvania, held at Philadelphia, January 23, 1775, and continued by adjournments to the 28th.*

*At a Provincial Convention for the Province of Pennsylvania, held at Philadelphia, January 23, 1775, and continued by adjournments from day to day, to the 28th:—PRESENT,*

*For the City and Liberties of Philadelphia.*

|                       |                       |
|-----------------------|-----------------------|
| John Dickinson, Esq.  | James Miligan,        |
| Thomas Mifflin, Esq.  | John Wilcox,          |
| Charles Thomson, Esq. | Sharp Delany,         |
| John Cadwalader, Esq. | Francis Gurney,       |
| George Clymer, Esq.   | John Purviance,       |
| Joseph Reed, Esq.     | Robert Knox,          |
| Samuel Meredith,      | Francis Hassenclever, |
| William Rush,         | Thomas Cuthbert, sen. |
| James Mease,          | William Jackson,      |
| John Nixon,           | Isaac Melcher,        |
| John Cox,             | Samuel Penrose,       |
| John Bayard,          | Isaac Coates,         |
| Christopher Ludwig,   | William Coates,       |
| Thomas Barclay,       | Blathwaite Jones,     |
| George Schlosser,     | Thomas Pryor,         |
| Jonathan B. Smith,    | Samuel Massey,        |
| Francis Wade,         | Robert Towers,        |
| Lambert Cadwalader,   | Henry Jones,          |
| Reynold Keen,         | Joseph Wetherill,     |
| Richard Bache,        | Joseph Copperthwaite, |
| John Benzet,          | Joseph Dean,          |
| Jacob Rush,           | Benjamin Harbeson,    |
| William Bradford,     | James Ash,            |
| Elias Boys,           | Benjamin Loxley,      |
| James Robinson,       | William Robinson,     |
| Manuel Eyre,          | Ricloff Alberson,     |
| Owen Biddle,          | James Irvine.         |
| William Heysham,      |                       |

*Philadelphia County.*

|                      |                    |
|----------------------|--------------------|
| George Gray, Esq.    | Benjamin Jacobs,   |
| John Bull, Esq.      | John Moore, Esq.   |
| Samuel Ashmead, Esq. | Samuel Miles, Esq. |
| Samuel Ervine, Esq.  | Edward Milnor,     |
| John Roberts, Esq.   | Jacob Laughlan,    |
| Thomas Ashton,       | Melchior Waggoner. |

*Chester County.*

|                       |                     |
|-----------------------|---------------------|
| Anthony Wayne, Esq.   | Lewis Davis,        |
| Hugh Lloyd,           | William Montgomery, |
| Richard Thomas,       | Joseph Musgrave,    |
| Francis Johnson, Esq. | Joshua Evans,       |
| Samuel Fairlamb,      | Persifer Frazer.    |

*Lancaster County.*

|                       |                    |
|-----------------------|--------------------|
| Adam Simon Kuhn, Esq. | Sebastian Graaff,  |
| James Climson, Esq.   | David Jenkins,     |
| Peter Grubb,          | Bartram Galbraith. |

*York County.*

|                      |                 |
|----------------------|-----------------|
| James Smith, Esq.    | John Hay,       |
| Thomas Hartley, Esq. | George Irwin,   |
| Joseph Donaldson,    | Michael Smyser. |
| George Eichelberger, |                 |

*Cumberland County.*

|                    |                    |
|--------------------|--------------------|
| James Wilson, Esq. | Robert Magaw, Esq. |
|--------------------|--------------------|

*Berks County.*

|                      |                    |
|----------------------|--------------------|
| Edward Biddle, Esq.  | John Patton, Esq.  |
| Christopher Schultz, | Balizer Gehr, Esq. |
| Jonathan Potts, Esq. | Sebastian Levan.   |
| Mark Bird, Esq.      |                    |

*Northampton County.*

|                     |                   |
|---------------------|-------------------|
| George Taylor, Esq. | Peter Kuchlein,   |
| John Oakley,        | Jacob Arndt, Esq. |

*Northumberland County.*

|                       |                       |
|-----------------------|-----------------------|
| William Plunket, Esq. | Casper Weitsell, Esq. |
|-----------------------|-----------------------|

The Chairman of the Philadelphia committee opened the Convention, by explaining the motives which induced said committee to propose the holding this Convention.

JOSEPH REED, Esq. was chosen President of this Convention.

MESSRS. JONATHAN B. SMITH, JOHN BENZET, and FRANCIS JOHNSON, Esqrs. were chosen Secretaries.

On motion,

Resolved unanimously, That the committee of the city of Philadelphia, and each county committee, shall have one vote in determining every question that may come before this Convention.

Resolved unanimously, That this Convention most heartily approve of the conduct and proceedings of the continental congress: That we will faithfully endeavour to carry into execution, the measures of the association entered into, and recommended by them, and that the members of that very respectable body merit our warmest thanks, by their great and disinterested labours for the preservation of the rights and liberties of the *British* colonies.

On motion,

Resolved unanimously, That it be, and it is hereby recommended to the several members of this Convention to promote and encourage instructions or advice from their several counties, to their representatives in general assembly, to procure a law prohibiting the future importation of slaves into this province.

Resolved unanimously, That in case the trade of the city and liberties of Philadelphia, shall be suspended in consequence of the present struggle, it is the opinion of this Convention that the several counties should, and that the members of this Convention will, exert themselves to afford all the necessary relief and assistance to the inhabitants of the said city and liberties, who will be more immediately affected by such an event.

Resolved unanimously, That if any opposition shall be given to any of the committees of this province in carrying the association of the continental congress into execution, the committees of the other counties, in order to preserve the said association inviolate, will give all the weight and assistance in their power to the committee who shall meet with such opposition.

Resolved unanimously, That it is the most earnest wish and desire of this Convention to see harmony restored between Great Britain and the colonies: That we will exert our utmost endeavours for the attainment of that most desirable object: That it is the opinion of this body that the commercial opposition pointed out by the continental congress, if faithfully adhered to, will be the means of rescuing this unhappy country from the evils meditated against it. But if the humble and loyal petition of said congress, to his most gracious majesty, should be disregarded, and the British administration, instead of redressing our grievances, should determine by force to effect a submission to the late arbitrary acts of the British parliament, in such a situation we hold it our indispensable duty to resist such force, and at every hazard, to defend the rights and liberties of America.

WHEREAS, it has been judged necessary for the preservation of our just rights and liberties, to lay a restraint on our importation, and as the freedom, happiness, and prosperity of a state greatly depend on providing within itself a supply of articles necessary for subsistence, clothing, and defence, a regard for our country, as well as common prudence, call upon us to encourage agriculture, manufactures, and economy.—Therefore this Convention do resolve as follows:

Resolved unanimously, That from and after the first day of March next, no person or persons should use in his, her, or their families, unless in cases of necessity, and on no account sell to the butchers, or kill for the market, any sheep under four years old. And where there is a necessity for using any mutton in their fami-

lies, it is recommended to them to kill such as are the least profitable to keep.

Resolved unanimously, That we recommend the setting up of woollen manufactures in as many different branches as possible; especially coating, flannel, blankets, rugs, or coverlids, hosiery and coarse cloths, both broad and narrow.

Resolved unanimously, That we recommend the raising and manufacturing of madder, woad, and such other dye stuffs as may be raised in this province to advantage, and are absolutely necessary in the woollen manufactures.

Resolved unanimously, That each person having proper land, should raise a quantity of flax and hemp sufficient, not only for the use of his own family, but also to spare to others on moderate terms. And that it be recommended to the farmers to provide themselves early with a sufficient quantity of seed for the proposed increase of the above articles of hemp and flax.

Resolved unanimously, As salt is a daily and almost indispensable necessary of life, and the making of it among ourselves must be esteemed a valuable acquisition; we therefore recommend the making of it in the manner used in England and other countries; and are of opinion it may be done with success, in the interior parts of the province where there are salt springs, as well as on the sea coasts.

Resolved unanimously, That salt petre being an article of great use and consumption, we recommend the making of it, and are further of opinion it may be done to great advantage.

Resolved unanimously, That the necessity we may be under for gun powder, especially in the Indian trade, induces us to recommend the manufacturing that article as largely as possible, by such persons who are or may be owners of powder mills in this province.

Resolved unanimously, That we recommend the manufacturing of iron into nails and wire, and all other articles necessary for carrying on our manufactures evidently in general use; and which of consequence, should our unhappy differences continue, will be in great demand.

Resolved unanimously, That we are of opinion the making of steel ought to be largely prosecuted, as the demand for this article will be great.

Resolved unanimously, That we recommend the making of different kinds of paper, now in use among us, to the several manufacturers: And as the success of this branch depends on a supply of old linen and woollen rags, request the people of this province, in their respective houses, may order the necessary steps to be taken for preserving these, otherwise useless, articles.

Resolved unanimously, That as the consumption of glass is greater than the glass-house now established among us can supply, we recommend the setting up other glass-houses; and are of opinion they would turn out to the advantage of the proprietors.

Resolved unanimously, That whereas wool combs and cards have, for some time, been manufactured in some of the neighbouring colonies, and are absolutely necessary for carrying on the hosiery and clothing business, we do recommend the establishing such a manufactory in this province.

Resolved unanimously, That we also recommend the manufacturing of copper into sheets, bottoms and kettles.

Resolved unanimously, That we recommend the erecting a greater number of fulling mills, and mills for breaking, swingling, and softening hemp and flax. And also the making of grind-stones in this country.

Resolved unanimously, That as the brewing of large quantities of malt liquors, within this province, would tend to render the consumption of foreign liquors less necessary; it is therefore recommended, that proper attention be given to the cultivation of barley: And that the several brewers, both in city and country, do en-

courage it, by giving a reasonable and sufficient price for the same.

Resolved unanimously, That we recommend to all the inhabitants of this province, and do promise for ourselves in particular, to use our own manufactures, and those of the other colonies, in preference to all others.

Resolved unanimously, That for the more speedily and effectually putting these resolves in execution, we do earnestly recommend societies may be established in different parts; and are of opinion that premiums ought to be granted in the several counties to persons who may excel in the several branches of manufactory: And we do further engage, that we in our separate committees will promote them to the utmost of our power.

Resolved unanimously, That if any manufacturer or vender of goods and merchandizes in this province, shall take advantage of the necessities of his country, by selling his goods or merchandize at an unusual and extravagant profit, such persons shall be considered as an enemy to his country, and be advertised as such, by the committee of the place where such offender dwells.

Resolved unanimously, That we recommend the making tin plates, as an article worthy the attention of the people of this province.

Resolved unanimously, That as printing types are now made to a considerable degree of perfection by an ingenious artist in Germantown; it is recommended to the printers to use such types in preference to any which may be hereafter imported.

On motion, Resolved unanimously, That the committee of correspondence for the city and liberties of Philadelphia, be a standing committee of correspondence for the several counties here represented: And that if it should at any time hereafter appear to the committee of the city and liberties, that the situation of publick affairs renders a provincial convention necessary, that the said committee of correspondence do give the earliest notice thereof to the committees of the several counties.

Ordered, That the proceedings of this convention be sent to the press, and printed in English and German, under the direction of the president, and Messrs, Jonathan B. Smith and John Benezet.

A true copy,

JONATHAN B. SMITH, }  
JOHN BENEZET, } Secretaries.  
FRANCIS JOHNSON. }

#### LETTERS FROM WILLIAM PENN.

WORMINGHURST, 24th 7th Mo. 88.

Dear Friends,—My ancient love salutes you, I writ by this conveyency before, but having yours by — Whitpain I was willing to lett you know I take your genll letter well, and that therein you answer me much. I have three things to add wch if Capt. Blackwell be not in station I desire your notice of and performance accordingly.

1st. yt yr just law be not interrupted about ye murderous woman, for ye barbarity is crying, tis a naturall justice, yt in ye mixt state we are, I cannot see how it is to be avoided.

2dly. that you suffer not one person to be in the government that is by any act of conversation a scandal to it and good liveing, for over this government must preside, and it concerns you mightily.

3dly. take care that the Kings lettrs yt I order my secretary here, Jon South, to send you, be duely promulgated, and observed wt may be.

For the invasions made by ye Ld Baltimore, you shall shortly hear more particularly from the King.

Had not I upon my hand, by ye singular providence of god, this great point of liberty of conscience to follow and settle, to which ye King is so thoroughly disposed, I should make any shift to be with you ye Lord knows it. I shall take my leave.

Desiring the Lord to be with you all by his blessed wisdom,

I am, your affect. Frd and Govr. and in the truth,  
Bror.

WM. PENN.

whatever you do keep virtue and peace a top.  
lett not the Reed Islands near Philadelphia be spoyled  
by haasty and unlicensed cuttings.  
If Capt. Blackwell be with you communicate ye need-  
ful of this and my other large one yt comes by this  
same conveyance.

Directed

For my trusty and well beloved Friends  
Robert Turner, Jon Simcock, A. Cook,  
J. Eccle, S. Carpenter, or any of them  
at Philadelphia.

4th 8br. 1689.

Dear Friend,

With my true and dear love to thee and thyn and all  
honest friends. by this know, that none of my exercises  
here have come so near me as ye jumbles you have  
there. I cannot declare the trouble they have given me,  
but since matters are as they are, I have, I hope, taken  
the best course I could to quiet things among you, ye  
lord god almighty give ym a sense of it yt have been  
ye occasion, yt have sacrificed ye quiet and honour of  
ye province to their particular humers wherever it  
lights, and guide you all in ye path of humility, meek-  
ness and righteousness. And first know yt I have re-  
moved Capt. Blackwell to my own affairs and to be  
Register genll. of ye Province, wch I hope he will ac-  
cept of, till I come at least, perswade him wt thou  
canst, and in his abstract station, the Province will see  
his abilitys and ye want of him more. I have putt all  
my estate in his care and made him Receivr Genll. but  
because I know not if he will accept of it, having  
been once Govr. I have consigned goods on board the  
Tryal of Pennsylvania, J. Atway mr. to thee and thy  
servt Fuller or either of you; wch after ye supply of  
my plantation, is to be returned by way of Barbadoes,  
or directly, with ye encrease. Remember two things  
and give Capt. Blackwell notice of it, I desire yll vizt  
yt ye warr make goods trebble ye vulture they were,  
for I assure yll it is with great difficulty a ship can go  
hence, the French are so powerful in shipping and pri-  
vateers, and yt as ye channels mouth, next the condi-  
tion of Ireland must needs inhance ye vulture of all sorts  
of provisions in ye Islands, so yt our calamitys here are  
your market and gain. Wherefore let ye Province be  
industrious while they have ye advantage, god has given  
us a good corn land.

Next, I herewith send a Bill of Saml. Carpenters payd  
with my Son Williams tokens and gifts sent or given  
him to be layd out according to instructions to Capt.  
Blackwell. The sallery he should have of me I think it  
just the Province should pay, since they have the thing  
desired. I desier thee to press it and to speak to the  
Comrs of property to do ye same, at least as part of the  
600l. they owe me, and if it is pay'd either way pray  
lett Capt. Blackwell know yt. I would have wt pro-  
visions he can raise sent to Barbadoes, and traffick my  
rents to ye best advantage or sell in proportion to ye  
rates corn will now bear in Barbadoes, &c. by reason  
of our distractions here. But in case Capt. Blackwell  
should refuse to stay upon the encouragements I give  
him now, I do then hereby empower thee to deal pri-  
vately with Saml Jennings for the place of Register Genll  
and in case that of Receivr Genll be thought by him  
best, lett him have that so he will come on our side.  
he may have ye use of my house at my plantation, and  
ye gardens, but besides hogs and an increasing stock of  
cattle to be sould off as they rise I will have nothing  
more to do with farming, so yt he may use some of the  
land to his own behoof, and keep my servts for their  
labour wch is to accommodate him with a better planta-  
tion then his own, and either place is worth him about  
50l. per ann. for I take him to be a shrewd man, a lover  
of me and one yt will yolk well in Govermt. and yt

dare do ye right thing. none knows this but thyselfe,  
and in case Capt. Blackwell stay not, engage him by all  
means if it is possible. I confess I would have some  
worthy person have ye other yt he has not of wch I  
make yee Judge; If thou likest to have the Regr Gehills  
take it else let some ingenious and well disposed per-  
son be recommended to me for it, or in case Capt. Bla.  
should stay, and after some time decease, take ye same  
course beforementioned, or if any other vacancy worth  
S. Jennings's paines presents; lett him have it; for I have  
long desired his company: And though this is no formal  
authority, yet this is enough to treat with him and putt  
him in possession of any such capacity, and I suppose  
ye Mr. of ye Roles will not refuse ye scale upon ye  
bear intimation of my minde herein to him. Tho I write  
as if I were to remain here, yet be assured, my eye as  
well as my heart is towards you with all speed; and so  
soon as I am totally enlarged expect my face to be sett  
yt way lett me recommend peace and virtue, I know  
thou lovest them therefore press ym and let me prevail  
with yee as hard as it is to thee to visit T. L. &c. and  
renew, by Christ's healing way, ancient sweatness and  
follow, leaving all with ye Lord who is just and good.  
I have writt already about thy own business, and there-  
fore say nothing of it here, but in ye sense of yt love  
wch thou hast showed to me and my concerns I shall  
ever show and approve myselfe

Thy assured and affect Friend,

WM. PENN.

many of thy Irish acquaintance now wish  
they had taken their lott with thee in Penn-  
sylvania, for Irland is a land of distress at  
this day. I leaye particulars to those yt are  
now upon their voyage to you. farewell.

Directed, For Robert Turner,  
in Philadelphia.

with Care and Speed.

P. S. to a Letter dated London 10mo. 4th day, 1690,  
from Wm. Penn to "Wm. Markham, Robt. Turner,  
&c.

"I was cleered at Westminster again ye 28 9mo. &  
2 or 300 more."

LONDON, 4th 12mo. 92-3.

Dr. Friends,

Considering how things stand and may stand with  
you; and the visible necessity the Province is under, as  
well as my own interest, and my earnest inclinations,  
that I speedily returne, I have a proposal to make, in  
wch if you answear me, I shall be able to make my way  
safe from the Govermt easy to myselfe, just to my  
Friends here, and this in reason I ought to desire. In  
consideration therefore of my very great expenses in K.  
G's time, known in some measure to T. H. and my great  
losses in this K's time ye one being at least 7000l. and  
ye other above 4000l. or 450l. per ann. totally waisted  
in Ireland as T. H. can inform you, by which means I  
cannot do wt is requisite to bring me among you with-  
out yt time here wch may injure our joynt interest, or  
your help to shorten it; I do propose that an hundred  
persons in town, if able, or town and country, do lend  
me, free of interest, each of them 100l. for 4 years, or  
each of them more or less, as able, so yt reach the sum  
and I will give you my bond to repay it to each of you,  
in 4 years time, or if not payd in yt time, a sufficient  
interest for the whole, or wt remains npayd at 4 years  
end, from yt time forwards, till payd. I shall take it so  
kindly from you, yt if you gaye me more at another time  
it should not equally please me, and it could not be  
done more seasonably for yourselves, and ye whole Pro-  
vince, for depend upon it and you have it under my  
hand god gveing health for it, I will not stay 6 months,  
no, not 3 months, if can in yt time get passage to re-  
move to you, with family also. I hope to be more worth  
to you, and a great deal more to ye Province; for ye  
hour my back is turned of Eng. some hundreds, if not



thousands, will follow wch will be your as well as my advantage, you may be informed of ye reason of this proposal more particularly by M. T. & T. H. if there be any need for it. Almighty God encline and direct you for ye best, and determine quickly, for else, my cours will be as you may hear by T. H. otherwise in solitude. my sincere love salutes you and my wishes, in the will of God; are for your happiness, whether I see you any more, wch under God, depends much upon your compliance with my proposal, and those yt close with it shall ever be remembered by me and myn. So wth my love, farewell.

Your assured Friend,  
WM. PENN.

The above has no direction: an Endorsement on it intimates that it was sent to Robert Turner.

LONDON, 20th 4mo. 95.

R. Turner & }  
T. Holm }

Loving frds,

Yours are with me, and I wish if God had pleased, you had been so too, yt. we might have been satisfied one in another; wch. if we live to meet I, an perswaded will be. I long to see you; but my Impediment you know, and if I cannot be assisted, I must do as I can. Known are all my desires, troubles and ways to ye. Lord God; and when we meet before him yt. shall judge the world, I shall stand clear in my heart and actions towards yt. Province. God has hedged up my way, but my prayer to him is, he would open it, for I am weary of the Delay; and I would have my frds. there pity me and not censure me as to yt. Now for ye. commission, I tell you why I limited it, because of such Collops as are cut out of my manners; by wch. I am disseated and defeated. For Wm. Stockdale's, ye. vineyard, new england frds, G. Heatcotes graunts do touch me sorely, for I know their value. I am determined to sell nothing taken up what ever is given for it, but upon my consent to be had, and yt. the money remitted here before S. Jen. time much was received, for rents and lands; I never saw a penny of it. 1100lb. or more in his receipts, I never saw a penny of it. and all run to rack at Pennsberry, pray lett me be considered in these things. I take very kindly your care to support my house, and gett Durrels Plantation for me; when got, sell it not, 'twill serve, my poor younger Son. And one thing more, I will never part with my Daughters Lott Land, for it is given to her, and is her accommodation, what, will not people lett me have ye. same regard to my children yt. I have for ym. yt have at ye. least ye. same pretence. pray lett ye. Com.s. know my mind herein—and do all in love.

I hope long before this comes, you hear of my having my Governmt. and of a new and fuller Commission; but this I must say, I am confident yt. yt. was so much blamed was taken too narrowly by some there, I never could be author of such a senceless limitation as yt. was aggravated to; however wts. past I desire may be past by on all hands.

Now for Sr. Mat. Vin. he payed me upon account, so much money is in my hands, as near pays it, but Doct. Cox's is not and so major Thomson. I intend yt. for Bille; Entalements in Eng. and Ireland rendering his portion short, my face is now turned towards Ireland, when yt. Journy is over (for I have not seen my Estate since I had it 24 years and an  $\frac{1}{2}$ ) I bend towards you, with divers famelys, I may say many, and some considerable; and some persons you will be glad to see there. I beseech you endeavour concord. G. K. is disowned by ye. yearly meeting, man by man; and under yt. Judgment is, as before, most passionate, rude, and outrageous. Licks up the very vomit of T. H.—and J. T.—, and never did one go from us yt. carried fewer with him, wherefore touch not with yt. Spt, nor countenance thos hurt by it there, for bow they must or be lost; a weighty

tender life keeps it down here and who keep to yt. will not be hurt thereby, his rudeness to me has been beyond compare, after all my tenderness to him, more and more work my Cos. Markham into a good understanding with Frds. there and to extinguish heats and divisions. It is ye. Divils designe to ruine yt. Provinces great and unpresdented beginnings, my love to you and yours, and to frds. and ye. people in general, they yt. forgive most overcome most; mind yt.

Press ye. suppression of vice and disorder pray, and urge the Dept. a council to repeat and revive their case therein.

Directed

For Robert Turner  
and Tho. Holmes or  
either of them at Phila-  
delphia in Pennsylvania.

WM. PENN.

### REPORT.

*In the Senate of Pennsylvania, January 29th 1820.*

The Committee appointed on the 10th ult. on the subject of the present distressed and embarrassed state of the commonwealth, made report, which was read as follows, to wit.

In the performance of a duty of such high importance as that which has been entrusted to your committee, they have felt it incumbent on them to enter at large into the investigation of the subject contemplated by their appointment, in order that the people of the present day may be correctly informed as to the extent and causes of the evils by which they are oppressed, and that the records of the house may be furnished with a document, which may afford evidence at a future day of the miseries which it is possible to inflict upon a people by errors in legislation, and by the bad administration of incorporated institutions.

In ascertaining the extent of the public distress, your committee has had no difficulties to encounter. Members of the legislature from various quarters of the state have been consulted in relation to this subject, and their written testimony in answer to interrogatories addressed to them by the committee, has agreed with scarcely an exception, upon all material points. With such a respectable weight of evidence added to that which has been derived from the prothonotaries, recorders and sheriffs of the different counties, from an intercourse with numerous private citizens residing in different parts of the state, as well as from the various petitions presented to the legislature, your committee can safely assert, that a distress unexampled in our country since the period of its independence, prevails throughout the commonwealth. This distress exhibits itself under the varied forms of

1. Ruinous sacrifices of landed property at sheriff's sales, whereby in many cases lands and houses have been sold at less than a half, a third, or a fourth of their former value, thereby depriving of their homes and of the fruits of laborious years, a vast number of our industrious farmers, some of whom have been driven to seek in the uncultivated forests of the west, that shelter of which they have been deprived in their native state.

2. Forced sales of merchandize, household goods, farming stock, and utensils at prices far below the costs of production, by which numerous families have been deprived of the common necessaries of life, and of the implements of their trade.

3. Numerous bankruptcies and pecuniary embarrassments of every description, as well among the agricultural and manufacturing, as the mercantile classes.

4. A general scarcity of money throughout the country, which renders it almost impossible for the husbandman or other owners of real estate to borrow even at a usurious interest, and where landed security of the most indubitable character is offered as a pledge. A similar difficulty of procuring on loan had existed in the metropolis previous to October last, but has since then been partially removed,

5. A general suspension of labor, the only legitimate source of wealth, in our cities and towns, by which thousands of our most useful citizens are rendered destitute of the means of support, and are reduced to the extremity of poverty and despair.

6. An almost entire cessation of the usual circulation of commodities, and a consequent stagnation of business, which is limited to the mere purchase and sale of the necessities of life, and of such articles of consumption as are absolutely required by the season.

7. A universal suspension of all large manufacturing operations, by which in addition to the dismissal of the numerous productive laborers heretofore engaged therein, *who can find no other employment*, the public loses the revenue of the capital invested in machinery and buildings.

8. Usurious extortions, whereby corporations instituted for banking, insurance and other purposes, in violation of law, possess themselves of the products of industry without granting an equivalent.

9. The overflowing of our prisons with insolvent debtors, most of whom are confined for trifling sums, whereby the community loses a portion of its effective labor, and is compelled to support families by charity, who have thus been deprived of their protectors.

10. Numerous law suits upon the dockets of our courts and of our justices of the peace, which lead to extravagant costs and the loss of a great portion of valuable time.

11. Vexatious losses arising from the depreciation and fluctuation in the value of bank notes, the impositions of brokers and the frauds of counterfeiters.

12. A general inability in the community to meet with punctuality, the payment of their debts even for family expenses, which is experienced as well by those who are wealthy in property as those who have hitherto relied upon their current receipts to discharge their current engagements.

With such a mass of evils to oppress them; it cannot be wondered at that the people should be dispirited, and that they should look to their representatives for relief. Their patient endurance of sufferings, which can only be imagined by those who have habitually intermingled with them at their homes and by their fire-sides, merits the commendation of the legislature; and profess a powerful claim to their interference.

Having thus enumerated the most prominent features of the general distress, your committee will proceed to point out the cause which in their opinion has occasioned it. That cause is to be found chiefly in the abuses of the banking system, which abuses consist *first* in the excessive number of banks, and *secondly* in their universal bad administration. For the first of these abuses the people have to reproach themselves, for having urged the legislature to depart from that truly republican doctrine, which influenced the deliberations of our early assemblies, and which taught "that the incorporation of the monied interest already sufficiently powerful of itself, was but the creation of odious aristocracies, hostile to the spirit of free government, and subversive of the rights and liberties of the people." The second abuse, the mismanagement of banks, is to be ascribed to a general ignorance of the true theory of currency and banking, and to the avarice of speculators, desirous of acquiring the property of others, by an artificial rise in the nominal value of stock, and by the sharing of usurious dividends.

In order that this subject may be clearly understood, your committee have thought the following concise history of banking in Pennsylvania, would be acceptable.

The first bank, which was established in the state, and indeed in the United States, was the bank of North America, which was chartered by Congress on the 31st day of December 1781, with a capital not to exceed ten millions of dollars, and without any limits being assigned as to its duration. This charter was confirmed by the state of Pennsylvania, on the 1st day of April, 1782.—This bank commenced and continued its operations up-

on a capital paid in of \$400,000, and as its credit stood high, and the union was deficient in a circulating medium, it was enabled to extend its issues vastly beyond the amount of its capital.<sup>\*</sup> The extent of its loans may be inferred from the rate of its dividends, which were as high as 12 and even 16 per cent per annum. The extensive and distant circulation of the notes of this bank occasioned by the disbursements of the general government which was a heavy borrower, emboldened its directors, and led them to overstep the bounds of discretion. The channels of circulation becoming overcharged with paper, and the public beginning to doubt the ability of the bank to redeem its notes on demand, naturally led to the consequences, which with the unerring certainty of fate, will sooner or later result from an extravagant emission of paper. The notes returned for payment, and with the diminution of its specie means, the bank to sustain its credit, was compelled to resort to the measure of calling upon its debtors for payment. This reduction of bank loans operated in its day, in precisely the same manner that we have seen it in ours.—A general pressure for money, bankruptcies, usurious extortions, the disappearance of specie, and an impossibility of procuring loans at legal interest, were among the evils attendant upon it. For the truth of this assertion, your committee beg leave to refer to the journals of the House of Representatives of the 21st and 23d days of March, 1785, by which it will appear, that so great were the evils which resulted from the operations of this bank, that a petition from a number of the inhabitants of Philadelphia and of the counties of Chester and Bucks were presented to the legislature, praying for a repeal of its charter. These petitions were referred to the committee, who, on the 25th of the same month reported\* that a bill should be brought in to repeal the charter, "which was accordingly done at the ensuing session, on the thirteenth day of September, 1785." The bank however claiming the right of prosecuting its business under the charter which it held from congress, continued its operations, and the legislature at a subsequent date, viz. on the 17th day of March, 1787, revived its charter, limiting its capital to 2,000,000 of dollars, (of which about 830,800 only were raised,) and its duration to fourteen years. This charter has been since extended for two successive periods of fourteen and ten years, on the twenty-ninth of March, 1799, and the 28th of March 1814, and will expire on the 17th day of March, 1825.

On the 25th day of February 1791, the first bank of the United States was chartered by congress with a capital of ten millions of dollars, and located at Philadelphia. Its charter expired without renewal on the 4th day of March, 1811.

On the 30th day of March, 1793, the Bank of Pennsylvania was incorporated for twenty years: The charter was renewed on the 14th of February, 1810, for twenty years longer, with an increase of capital which is now \$2,500,000, and will expire the 4th of March, 1833.—This bank was authorised to have branches, of which it established four, viz. at Lancaster, Reading, Easton and Pittsburg, the last of which has been discontinued.

On the 5th of March, 1804, the Philadelphia bank was chartered, after having been some time in operation without a charter, to continue until 1st May, 1814, with a capital not to exceed two millions of dollars; of which 1,800,000 were raised. On the 1st day of March, 1806, it was renewed for 10 years, and will expire on the 1st day of May, 1824. It was authorized by an act of 3d March, 1809, to institute branches, of which it established four, viz. at Wilkesbarre, Washington, Columbia and Harrisburg, the two last of which have been withdrawn.

On the 16th, March, 1809, the Farmers and Mechanics bank was incorporated, with a capital of \$1,250,000, to continue until the 1st May, 1824.

\* See the report at full length in Journal of 30th March, 1785.

Some two or three years prior to the expiration of the charter of the bank of the United States, application was made to congress for its renewal; which having failed, overtures were made to the legislature of Pennsylvania, but without success. The anxiety displayed by the stockholders of this bank to continue their business, and the successful appearance of their dividends *added to the locating of branches by the Pennsylvania bank in the country*, very naturally excited the attention of the public, and particularly of the inhabitants of some of the interior counties of the state, who fancied that much of the prosperity of cities was to be traced to the establishment of banks, and that if that were the case, there was no reason why the country should not participate in their advantages. Such considerations as these, urged on by the desire of accumulating wealth without the dull exercise of labor, engendered a spirit of speculation. It was supposed that the mere establishment of banks would of itself create capital, that a *bare promise to pay money*, was money itself, and that a nominal rise in the price of land and commodities, ever attendant upon a plenty of money, was a real increase of substantial wealth. The theory was plausible, and too well succeeded. The Farmers bank, with a capital of \$300,000 dollars, was established in the county of Lancaster, in the beginning of the year 1810, and was accompanied by several others in the city, as well as in other parts of the state.

These early symptoms of a mania for banking induced the legislature, on the 19th of March, 1810, to enact a law prohibiting unincorporated associations from issuing notes, or pursuing any of the operations of banks, but in defiance of its provisions, the system was persevered in, and even companies incorporated for the purpose of constructing bridges, departed from the spirit of their charters, converted themselves into banks, and emitted notes for circulation.

The evils, however, which would have flowed from this banking spirit, would soon have been checked, by the usual corrective viz. *the return of the notes for payment*, had not the war which was declared in June, 1812, interposed. Prior to that period, the emissions of our banks were regulated with a constant regard to their liability to be called upon for the payment of their notes in coin. The periodical demand for dollars for the China and India trade, which regularly occurred every spring, was a check upon the overtrading spirit, which has always characterized corporations exempt from individual responsibility. The merchants at that day, were not afraid to demand their rights, and those who held claims upon the banks in the nature of notes or deposits, would make a demand for an hundred thousand dollars, with less hesitation than they now display in asking for a single thousand. Banks were then, what they should always be, the servants of the public, and until they are again reduced to the proper relation in which they ought to stand to the community, their operations must ever continue to be injurious. *Without liability to prompt payment, uninfluenced by any considerations of fear, forbearance, or delicacy, on the part of the public, the community has no guarantee against a depreciated and fluctuating currency.*

The war as might naturally be expected, put a temporary stop to the exportation of specie, and thereby removed the old sure check against inordinate issues of paper, which can possibly exist. This cessation of the returning of notes for payment, had the effect of inviting the banks to enlarge their issues. Loans were made to government to an immense amount, and to individuals vastly beyond what the absence of foreign commerce justified, and a gradual depreciation of the currency was the result. The increase of dividends and the facility with which they appeared to be made, extended throughout the whole commonwealth the spirit of speculation, already introduced into some counties. The apparent success of the Farmers Bank of Lancaster, which from the enormous extent of its issues, was enabled to divide upwards of *twelve per cent.* per annum;

*and to accommodate its stockholders with loans to double the amount of their stock*, had a powerful influence upon the public mind. A bank by many was no longer regarded as an instrument by which the surplus wealth of capitalists could be conveniently loaned to their industrious fellow citizens, but as a mint in which money could be coined at pleasure, for those who did not possess it before. Under these delusive impressions, associations of individuals sprang up in every quarter, holding out inducements to the farmer, the merchant, the manufacturer and mechanic, to abandon the dull pursuits of a laborious life, for the golden dreams of an artificial fortune.

The liability however to individual ruin, attendant upon unchartered copartnerships, restrained in a degree, the banking mania, and impelled the projectors to apply for a legislative sanction. During the session of 1812-13, a bill to incorporate twenty-five institutions, the capitals of which amounted to 9,525,000 dollars, was passed by both houses of the Legislature by a bare majority of one vote in each. The bill was returned by the governor with his objections, which were sensible and cogent, and on a reconsideration the votes were 38 to 40. At the following session the subject was renewed with increased ardour, and a bill authorizing the incorporation of forty-one banking institutions with capitals amounting to upwards of 17,000,000 of dollars, was passed by a large majority. This bill was also returned by the governor with additional objections, but two-thirds of both houses (many members of which were pledged to their constituents to that effect) agreeing on its passage, it became a law on the 21st of March, 1814, and thus was inflicted upon the commonwealth an evil of a more disastrous nature than has ever been experienced by its citizens. Under this law thirty-seven banks, four of which were established in Philadelphia, actually went into operation, the charters of which will expire on the 1st of April, 1825.

The immediate commencement of a number of these banks, with scarcely a *bona fide* capital equal to the first instalment, *for the convenient mode of discounting stock notes to meet the subsequent payments was soon discovered*, increased the mass of paper credits already too redundant, and depreciated the whole circulating medium so far below a specie value, as to excite a want of confidence into its convertibility. In the absence of a *foreign* demand for specie, a *domestic* one arose. The laws of the New England states had been so rigorous upon the subject of banks which were liable to a penalty of 12 per cent. per annum for the non-payment of their notes, that no depreciation of their currency took place. The consequence thereof was, that the difference between the New England prices of commodities, stocks and foreign bills of exchange, and those of Pennsylvania was equal to the extent of the depreciation of the currency of the latter, and as our bank notes were at that time redeemable on demand, the most profitable remittance which could be made to New England in exchange for her commodities was specie, and this demand created a run upon the banks, which they were not able to withstand. The situation of the southern and of the western banks was precisely similar to that of our own. All had over issued, and a general depreciation had ensued. The same causes produced the same effects, and a general stoppage of payment of all the banks in the United States, except those of New England, took place in August and September, 1814. The New England demand, it is true, was increased by two causes, viz: *first* by facilities in foreign trade through neutral vessels, which were afforded them by an exemption from the blockade of the enemy, and *secondly*, by a well grounded apprehension, that the southern banks from their extensive emissions would necessarily become embarrassed. Certain it is, however, that all these causes combined, could not have produced a general suspension of payment, *had our banks observed*

the same caution in their issues as that which characterized the banks of the Eastern states.

At the time of the suspension of our city banks a public meeting of merchants and others was held, who publicly sanctioned the measure, under a pledge given by the banks that as soon as the war was terminated, specie payments would be resumed. That this measure was intended, is evident from the curtailment of loans immediately, consequent upon the suspension.

But unhappily the redemption of the pledge was not demanded by the public at the stipulated time, and the banks urged on by cupidity, and losing sight of moral obligation in their lust for profit, launched out into an extent of issues, unexampled in the annals of folly. The fulfilling of a promise to pay money by tendering another promise *equally false*, sanctioned by the public acquiescence, led to the organization of additional banks under the act of March 1814, which had not until then been attempted to be formed, and a scene of indiscretion in the loaning of bank credits was every where exhibited, which realized the anticipations of those who had foretold the ruinous effects of the paper system. Money lost its value. The notes of the city banks became depreciated 20 per cent. and those of the country banks from 25 to 50, and specie so entirely disappeared from circulation, that even the fractional parts of a dollar were substituted by small notes and tickets, issued by banks, corporations, and individuals. The depreciation of money enhancing the prices of every species of property and commodity, appeared like a *real rise* in value, and led to all the consequences which are ever attendant upon a gradual advance of prices. The false delusions of artificial wealth increased the demand of the farmer for foreign productions, and led him to consume in anticipation of his crops. The country trader seduced by a demand for more than his ordinary supply of merchandise, was tempted to the extension of his credit, and filled his store at the most extravagant prices with goods vastly beyond what the actual resources of his customers could pay for, whilst the importing merchant having no guide to ascertain the real wants of the community but the eagerness of retailers to purchase his commodities, sent orders abroad for a supply of manufactures wholly disproportioned to the effective demand of the country. Individuals of every profession were tempted to embark in speculation, and the whole community was literally plunged into debt. The *plenty of money*, as it was called, was so profuse, that the managers of the banks were fearful they could not find a demand for all they could fabricate, and it was no infrequent occurrence to hear solicitations used to individuals to become borrowers, under promises as to indulgence, the most tempting.

Such continued to be the state of things until towards the close of the year 1815. At that time the doctrine so generally taught and so generally received by the great mass of the community, that the paper currency was not depreciated, but that specie had risen in value, began to be abandoned. The intelligent part of the people became convinced, that although the nominal prices of property and commodities had been advanced, the substantial wealth of society had absolutely diminished, and the evils attendant upon a depreciated and a perpetually fluctuating currency were universally acknowledged. Each city, town and county, had its own local currency, bearing no equivalency with, or a fixed proportion to any other; the consequence of which was, that a new and extensive class of brokers sprang into existence, who have ever since been supported at the expense of those who have been defrauded by the banks of their just and indisputable rights. Counterfeiters also added to the mass of paper in circulation, and the difficulty of detection where so many signatures were current, invited to an increase of their numbers.

The plan about this time projected of establishing a national bank with a commanding capital, held forth an expectation, that the desired restoration of the currency

was about to be effected. Petitions in favor of the measure were presented to congress, and the general government, weary of the embarrassments to which its fiscal concerns had been subjected, from a currency varying not only in every state but in almost every village, (for the banking system had by this time extended itself through the middle, southern and western states) chartered the present bank of the United States with a capital of thirty-five millions of dollars, on the 10th day of April, 1816, with corporate powers which will expire on the 3d of March 1836.

No sooner was this measure adopted, than the numerous city banks, alarmed for their safety, resolved upon a retrograde movement, and with the reduction of their loans, commenced a reaction, which was accompanied by great mercantile distress. The result of this procedure, however, was a gradual amelioration of the currency, inasmuch that by the month of July of that year, the depreciation of the notes of the banks in Philadelphia was brought to 7 or 8 per cent. and by the month of December to considerably less.

The Bank of the United States, the subscriptions to which were opened on the 1st Monday of July, 1816, commenced its operations about the 1st of January, 1817, and had it been conducted with the discretion and wisdom which were essential to so powerful a machine, its influence might have been productive of the most happy results. The public was aware that the currency of the state banks was still depreciated from excess, and that nothing but a further reduction of their issues could remove its unsoundness; and yet with this fact, evident to the most limited capacity, the directors of the new bank fancied, that if they could only persuade the city banks to *call* that a sound currency which was in reality an unsound one, the evil of depreciation would be cured, and they accordingly proposed to them to enter into an agreement to resume specie payments on the 21st of February following. The city banks, sensible that their power over the community was so great, that few individuals would have the boldness to make large demands upon them for coin, and relying upon that forbearance which had hitherto been extended to them by an injured public, who had been for two years and an half paying them 6 per cent. per annum for the use of their dishonoured bills, consented to the arrangement, and specie payments were accordingly *nominally* resumed on the appointed day. We say *nominally*, because in point of fact, a *bona fide* resumption did not take place, as is evident from the well known circumstance, that for a long time after that period, *American* as well as foreign *coins* would command on the spot a price in city bank notes above their nominal value. Depreciation can as well result from the forbearance of the public to demand their rights, as from the refusal of the banks to pay their engagements; and the arrangement alluded to, was not any real resumption of cash payments, but a mere change of one species of inconvertibility for another. No sooner, however, had the directors of the national bank succeeded in the desirable object of rendering depreciated paper an equivalent for their own convertible notes, than, instead of reflecting from an acquaintance with general principles, and from the experience of the past, that the channels of circulation could contain without depreciation, but a limited amount of paper credits, and that that amount was already in those channels, they began to add to the mass already redundant, by emissions of their own notes; and in the course of a few months added to the mass of bank loans an amount greatly beyond the reductions which had been made. By this means the currency, although *nominally* convertible, was depreciated below its former low state, and was thrown back, instead of being advanced on the road of restoration; and thus was rendered nugatory all the pain and embarrassment which the public had suffered from the former curtailments of the state banks.

This unwise procedure of replunging the people into the debts from which they had been partially extricated, and of involving others who had hitherto escaped, was continued for a time; but the dreadful day of retribution at length arrived. The bank discovered almost too late, that its issues had been extended beyond the limits of safety, and that it was completely in the power of its creditors. It also foresaw that the payment of that portion of the Louisiana debt, redeemable on the 21st of October, 1818, which was held by foreigners, might occasion a demand for a considerable amount of coin, that the enhanced prices of China, India, and other goods, occasioned by the depreciation of the currency from the over issues of itself and the state banks, would lead to a demand for specie, and that as it was professedly a specie bank, liable, under a penalty of 12 per cent. per annum to pay its notes on demand, the same delicacy and forbearance would not be extended towards it as to the state banks. These considerations impelled it to seek its own safety, and from that moment a system of reduction commenced. This reduction operating upon the state banks, which had not profited by the opportunity afforded them of contracting their loans whilst the other was extending, obliged them also to diminish their transactions, and a general curtailment ensued, which has not yet had its consummation. The severity of the second pressure commenced in the city in October, 1814, and was continued without intermission for a year; at the expiration of which time it is said that the reductions made there by the national bank alone have exceeded seven millions of dollars, and those by the other banks probably two or four more. The reductions of the country banks during the three last years may be inferred from the following statement, which exhibits the amount of their notes in circulation at four different periods.

|                   |              |
|-------------------|--------------|
| November 1, 1816, | \$ 4,756,460 |
| Do. 1817,         | 3,782,760    |
| Do. 1818,         | 3,011,153    |
| Do. 1819,         | 1,318,976    |

From the foregoing history it will be seen, what influence has been produced upon the affairs of the community by the operations of the banking system. Real property has been raised in nominal value, and thousands of individuals have been led into speculations, who, without the facility of bank loans would never have been thus seduced. The gradual nominal rise in the price of land, has produced an artificial appearance of increasing wealth, which has led to the indulgence of extravagance and luxury, and to the neglect of productive industry. Foreign importation and domestic consumption have thus been carried to an extent, far beyond what the actual resources of the country and people would justify, and in pursuing a *shadow* the community has lost sight of the *substance*.

Your committee is aware of the arguments advanced by some, that the general pacification of Europe has had a sensible effect upon the domestic relations of the United States, and that the neglect of the general government to afford adequate protection to domestic manufactures, has been instrumental in a high degree, in producing the present distresses. There can be no doubt, but that the former occurrence has sensibly diminished the prices of our agricultural produce, and as far as that has had an influence upon the affairs of individuals, it is entitled to consideration; but your committee must observe, that that fall has been accompanied by one nearly corresponding in the prices of foreign productions, and that were it not for the debts into which the community has been plunged by bank facilities, the difficulties resulting therefrom would have been easily surmounted.—In relation to the second argument, viz. The want of protection to domestic manufactures, although it may apply in a great degree to the operations of manufacturing towns, yet it is not valid as relates to the great mass of the people of the common-

wealth, who can perceive in the banking institutions the immediate causes of their embarrassments. Nevertheless your committee are of opinion, that in the present circumstances of the world, it is the policy of the general government to assist the rising manufactures of the nation, by such public aid, as will prevent their prostration by the jealous rivalry of foreign states.

Your committee is sensibly impressed with the dangers which may hereafter arise from the renewal and creation of bank charters, and as they have deemed it to be within the limits embraced by the resolution under which they act, they take the liberty of giving to the Senate their ideas of the provisions which should be incorporated in every charter of a bank hereafter sanctioned by the legislature. They are as follows:

*First.* A penalty of 12 per cent. per annum in addition to a forfeiture of the charter, should be imposed upon the amount of all notes and deposits not redeemed in specie on demand.

*Secondly.* No bank should be allowed at any time to loan more than fifty per cent. beyond the amount of its capital.

*Thirdly.* All profits above six per cent. should be equally divided between the stockholders and the state, the amount accruing to the latter to be specifically appropriated to internal improvements. The justice of this provision is founded upon the consideration, that, although high dividends have been made, yet none but the original subscribers get the benefit of them, for all subsequent purchasers are compelled to pay for the stock a speculative advance upon its par value, at least equivalent to the extraordinary interest.

*Fourthly.* No director except the president should be re-eligible for more than three years, in any period of six, and none should be entitled to loans beyond a limited amount.

*Fifthly.* The affairs of the bank and the private accounts of the directors should at all times be open to the inspection of the legislature.

*Sixthly.* No note for less than five dollars should be issued, inasmuch as no solid system of paper credits can any where exist, unless the minor channels of circulation are exclusively supplied with coin.

Without such provisions as these, the propriety of which has been established by the dear bought experience of the past, your committee conceive, that it will be impossible to guard the public in future, against the evils of excessive issues, which, whenever they are made, must sooner or later re-act upon the community, with effects in a greater or less degree, similar to those which our fellow citizens, now so unhappily experience.

Having thus performed a part of the duties assigned them, your committee will now touch upon the most important and most difficult branch confided to their charge, viz. a remedy for the existing distresses.

At a period of extreme suffering, it is natural for those who are writhing under the lash of affliction, to appeal for assistance to those whom they supposed to be possessed of the power to relieve, and remedies are often suggested, which it would not be practicable, or which it would not be consistent with the honor of a state, to adopt. Among these latter the measures of compelling creditors to take property at a certain valuation for their claims, and of extending the stay of executions to a period beyond that which is at present established by law, are prominent. Petitions to that effect have been presented to the legislature, and if the prayers of the petitioners could be accorded, without compromising the high standing which Pennsylvania maintains amongst the states of the union, your committee would be amongst the first to fly to the relief of their suffering fellow citizens. But the solemn nature of the obligation of contracts, independent of constitutional objections, must impel them to withhold their recommendation of projects, which would entail upon the commonwealth a stigma as imperishable as time.

Whilst they are thus, however, actuated to stand forth as the supporters of the public faith, they feel it incumbent on them to present to the consideration of the Senate, a measure, which in their estimation is calculated to afford relief to a vast portion of those, who, though ultimately solvent in their circumstances, are in danger of ruin from the immediate pressure of their debts. The measure alluded to is the establishment of a loan office, by which the sum of \$1,500,000 may be loaned to farmers, manufacturers and others, upon indubitable landed security, for a period of five or ten years, distributed in such moderate sums as will exclude the applications of speculators, and dispense the benefits of the scheme amongst the greatest possible number of sufferers. At a moment like the present, when the paternal care of a government is most loudly implored, and when an opportunity is afforded to perform an act of no less importance than the rescuing from ruin of thousands of our most useful citizens, the people have a right to expect from the legislature some noble public spirited effort to avoid so awful a calamity; and your committee, in accordance with this rational expectation, most sincerely concur in the appeal.

It is not pretended, that by any act of the legislature, every embarrassed individual can be saved from ruin. — Many, unhappily, by the depression of property, and other causes, are irretrievably involved. But it cannot be doubted, that there are numerous individuals who possess farms capable of affording them support, of the value of from five to ten thousand dollars, and who from the immediate pressure of a debt of one or two thousand dollars, are in danger of being utterly overwhelmed. Do cases like these, merit the helping hand of a protector? your committee would ask; or are the helpless victims of the rapacity of creditors to be left to their fate, and suffered to be swept away by the torrent, which, let it be remembered, owes its immediate rise to legislative enactments? We should hope not; and yet such must be the result, unless the representatives of the people, in imitation of their predecessors, who, on more than one occasion stepped forth for the relief of the community in the manner here recommended, shall extend the hand of protection to their prostrate countrymen. But your committee would observe, that in affording direct relief to those who are embarrassed for time, and who, to be saved from insolvency, only require that a debt payable in *sixty days* should be converted into one payable in *two or three years*, the benefits of the loan are not confined to those to whom it is immediately granted. Capital diffused amongst a community, extends its influence to all who surround it. The plenty or scarcity of money depend no less upon the rapidity or slowness of circulation, and upon the expansion or contraction of confidence, than upon its absolute quantity. Every time a sum changes hands, it cancels an obligation, and it is highly possible, that a million of dollars in the course of six months, would discharge ten or twenty millions of debts. If examples of the liquidating power of money were required, they could be adduced in abundance. Let one however suffice, as particularly applicable to the case in point. A sum was lately paid to the sheriff of a neighbouring county in discharge of a judgment, and before it left his hands, it was employed in the settlement of three or four additional judgements, by the direction of the different plain-tiffs and defendants.

The oppression and ruin which have been inflicted upon the community by the banks has excited a strong feeling of hostility towards them. Numerous petitions have been presented to the legislature from different quarters of the state, praying for a repeal of the charters of those which were established by the act of March, 1814, and if there ever was an occasion wherein the right of annulling charters reserved by the state, should be exercised, the present is most unquestionably one. But doubts have arisen on the minds of your committee as to the expediency of such a course. Of the justice of

the measure they entertain no question, but they are disposed to think that a general repealing of the charters would have the effect of occasioning a run upon all those banks which now redeem their notes in specie, by which means they would be brought to a stoppage of payment and the mass of inconvertible depreciated paper in the state, already so productive of loss and inconvenience to the public, would be greatly increased. Your committee however deem it of importance that the banks should be deprived of the power of purchasing property sold under their own judgments and mortgages; and if the right of so abridging their corporate powers is not reserved in the law, the end can be attained by repealing the charters and restoring them with that restriction. This restriction upon the corporate powers of the bank would, it is conceived by your committee, have a tendency to restrain that urgency to force the sale of property, which a prospect of a future rise is so apt to produce, and there can be no reason why that class of creditors in the community, who have been the most faithless in their contracts, who have been making dividends of money extorted from the public whilst they refuse the payment of their notes, who are the least of any liable to legal compulsion, who have only a limited responsibility, and above all, who have been the causes of the public misery, should be the only class, which should escape the calamity, of which they themselves have been the authors. If they are determined to press their debtors to a sacrifice of their property, let them not profit by their own severity. In thus expressing their opinions against the immediate repeal of the charters of the banks incorporated in 1814, your committee however think it due to the public, to recommend to the Senate the adoption of a resolution expressive of its sense as to their renewal at the period when they shall expire. Your committee would most strenuously urge it upon future legislatures to suffer no consideration to prevail with them to renew a single charter, or to grant a new one, but with the restrictions above mentioned.

The abolishing of imprisonment for debt, which has just been sanctioned by law, where fraud and concealment have not been practiced, and the amendment of the law respecting usurious loans of money, will both have a tendency to ameliorate the condition of the community. The former will relieve the minds of thousands from the apprehension of disgrace and accumulated misery, whilst the latter will put an end in a great degree, to those extortions which are practiced upon the unfortunate, and will bring into circulation, at legal interest, a vast amount of money held back, for usurious contracts.

In addition to the plan of a loan office suggested above, your committee recommend to the Senate, liberal appropriations for internal improvements. Money for both objects can be readily obtained at six per cent. or less, and it is not more the duty of a state to assist its citizens with the means of employment at a period of difficulty, than its policy to do so, when labour can be commanded at one half its customary rate. Manual labour during the ensuing summer will probably be to be had for little more than a bare subsistence, and two roads may possibly be constructed at the usual expense of one. This is the moment then for extraordinary exertion; and we trust that the legislature will not be backward in adopting a measure which shall carry relief to the doors of thousands, and at the same time, increase the fixed wealth of the state to a greater extent than can ever again be done by the expenditure of a similar sum.

Your committee cannot close this report, without expressing their hopes, that the sad experience of the past, may deeply impress the minds of the community with the important truths—that labour is the legitimate source of wealth—that frugality and industry are alone to be relied on in the great pursuit of riches—that speculation is destructive of the morals and subversive of the steady employments of a people, and that the con-



sumption of domestic manufactures, especially of those which are fabricated within their immediate dwellings, is hereafter to be relied on as an important item in restoring to the body corporate that health and vigour, of which it has been latterly deprived.

In order to ascertain the sense of the Senate upon the various matters recommended herein, your committee beg leave to submit for their adoption the following resolutions, viz:

1. *Resolved*, That it is expedient for the commonwealth to borrow the sum of \_\_\_\_\_ to be loaned to the inhabitants of the several counties and cities upon landed security, in a ratio proportioned to their representation.

2. *Resolved*, That it is expedient to appropriate at the present session the sum of \_\_\_\_\_ dollars for internal improvements.

3. *Resolved*, That it is expedient to deprive the banks incorporated by the act of March, 1814, of the power of purchasing property sold under their own judgments or mortgages.

Ordered, To lie on the table.

[The documents connected with this report will be inserted in our next Number.]

### REMINISCENCE.

Busy memory, like the magician's wand, or the mimic sword of Harlequin in Pantomime, suddenly changed this new and splendid scenery, near Capitol Hill, and the Presidential Palace, to an inside view of the plain brick building, at the south east corner of Chestnut and Sixth streets. In this limited inclosure, the Representatives of the people, in former days, viewed themselves as surrounded by uncommon elegance and decoration in their discussions, they being "fresh from the ranks of the people, actually so, and unused to legislative splendor, other than had been exhibited by the Old Congress of 1776, in the east wing of the State House, on Chestnut street. Prior to their removal south, they passed unanimously, a vote of thanks, to the authorities of Pennsylvania, for having done the thing so very handsomely.

The House of Representatives, in session, occupied the whole of the ground floor, upon a platform elevated three steps in ascent, plainly carpeted, and covering nearly the whole of the area, with a limited "*Loggia*," or promenade for the members and privileged persons; and four narrow desks, between the Sixth street windows, for the Stenographers, Lloyd, Gales, Callender, and Duane. The Speaker's chair, without canopy, was of plain leather, and brass nails, facing the east, at or near the centre of the western wall. The first Speaker of the House, in this city, was Frederick Augustus Muhlenburg, who, by his portly person, and handsome roundity, literally filled the chair. His rubicund complexion and oval face, hair full powdered; tamboured satin vest, of ample dimensions, dark blue coat, with gilt buttons, and a sonorous voice, exercised by him without effort, in putting the question, all corresponding, in appearance and sound, with his magnificent name, and accompanied, as it was, by that of George Washington, President, as signatures to the Laws of the Union—all these had an imposing effect upon the inexperienced auditory, in the gallery, to whom all was new and very strange.

He was succeeded here by Jonathan Dayton, of New Jersey, a very tall, raw-boned figure of a gentleman, with terrific aspect, and, when excited, a voice of thunder. His slender, bony figure, filled only the centre of the chair; resting on the arms of it, with his hands, and not the elbows. From the silence, which prevailed of course on coming to order; after prayers by Bishop White, an occasional whisper, increasing to a buzz, after the manner of boys in school, in the seats, in the lobby, and around the fires, swelling, at last, to loud conversation, wholly inimical to debate. Very frequently, at

this stage of confusion among the "babbling politicians," Mr. Speaker Dayton would start, suddenly, upon his feet, look fiercely around the hall, and utter the words, Order! order without the *Bar!* in such appalling tone of voice, that as though a cannon had been fired under the windows, in the street, the deepest silence, in one moment, prevailed—but for a very short time.

The United States Senate convened in the room, upstairs, looking into the State House Garden. It has been ever since, used by Judges Washington and Peters, [as the District Court.

In a very plain chair, without canopy, and a small mahogany table before him, festooned at the sides and front with green silk, Mr. Adams, the Vice President, presided as President of the Senate, facing the north. The portrait in Peale's museum, is, in the opinion of the writer, a perfect *fac simile* of the elder Adams, in face, person, and apparel, as they appeared to him, above the little table, placed before that venerable gentleman. Among the thirty senators of that day, there was observed constantly, during the debate, the most delightful silence, the most beautiful order, gravity, and personal dignity of manner. They all appeared every morning full powdered, and dressed as age or fancy might suggest, in the richest material. The very atmosphere of the place seemed to inspire wisdom, mildness, and condescension. Should any one of them so far forget, for a moment, as to be the cause of a protracted whisper, while another was addressing the Vice President, three gentle taps, with his silver pencil case upon the table, by Mr. Adams, immediately restored every thing to repose, and the most respectful attention, presenting in their courtesy a most striking contrast to the independent loquacity of the representatives below stairs; some few of whom persisted in wearing, while in their seats, and during the debate, their ample cocked hats, placed "fore and aft," upon their heads, with here and there a leg, thrown across the little desks before them, and facing Mr. Jupiter Dayton; as he was sometimes called by writers in the *Aurora* of Benjamin Franklin Bache.

The Treasury Office, Alexander Hamilton, Secretary, was located at the south west corner of Third and Chestnut streets, in a row of two story brick houses, since removed. The War Office, Henry Knox, Secretary, at the north east corner of Fifth and Chestnut streets; the office of Post Master General, Pickering, under the same roof; and the City Post Office, Robert Patton, Post Master, in Front, above Chestnut street. The office of the United States Treasurer was to be found in his front parlour, of the house now occupied by Earl and Sully as a Picture Gallery.

At this period of the government of the United States, the mere idea, then but floating upon the surface of our policy, that we should possess a Navy, was scouted, being viewed as an entering wedge to despotism, pressgangs, as in England, and a thousand ships of war—consequently there were, as yet, neither Navy Office, nor Secretary of the Navy."—*Amer. Daily Adv.*

### AMERICAN SILK.—No. 9.

Having made it my business since my arrival in this country, to obtain all the information I could, in an historical as well as statistical point of view, respecting the subject of which I am now treating, I have found that at various times since the first settlement of the American Colonies, and antecedent to the revolutionary war, several successive but fruitless endeavors had been made by the colonists, as well as by the mother country, to introduce the cultivation and the filature of silk in different parts of this continent.

Since the revolution, however, the minds of men appear to have been turned to other objects, until within the last five years, when suddenly, and by a simultaneous and spontaneous impulse, without any apparent external excitement, the people of the United States



have directed their attention to this source of national riches. Every where, from north to south, mulberry trees have been planted and silk worms raised, either for amusement or under a vague impression that it might be turned to profit. I do not speak of Connecticut, where the raising of silk worms, for the purpose of making sewing silk, has been for a long time a settled branch of industry, in my opinion very unprofitable compared to what might be done with the same materials: I allude to the other states in this Union, where the phenomenon I have mentioned has already taken place. Within the above mentioned period several foreign works have been translated or abridged, on the subject of the culture and manufacture of silk, and it is but lately that the first number of a periodical on that subject, edited by Dr. Pascalis,\* has been announced at New York, which shows how much the people at large are desirous of information upon this topic. The rulers of the nation yielding to the national desire, have been taking measures to satisfy the general wishes. In May, 1826, the House of Representatives of the U.S. passed a resolution directing "that the Secretary of the Treasury cause to be prepared, a well digested Manual, containing the best practical information that can be collected, on the growth and manufacture of Silk, adapted to the different parts of the Union; and containing such facts and observations, in relation to the growth and manufacture of silk in other countries, as might be useful." The manual was accordingly compiled, and published last year, under the authority of the government, in a pamphlet containing 220 pages. The Legislature of Maryland, as I am informed, passed an analogous resolution at their last session, and it is probable that the subject has been taken up by other states, altho' I am not in possession of the particular facts. Societies have been established for the promotion of the culture of silk, and the newspapers abound with paragraphs showing how much this branch of industry has attracted the attention of the people of this country.—It is evident that the moment has arrived when it is to be taken up and prosecuted with effect.

As far as I have been able to judge, the manufacture of sewing silk, after the example of Connecticut, appears to have been the first object in view. I have seen samples from various parts of the Union. Otherwise, I have not seen any where any fixed design for the employment of the silk to be raised by the citizens of the United States. It is not extraordinary that a subject so complicated should be little understood in a country that has never had the opportunity of acquiring practical experience. Having undertaken, at the request of persons whom I could not refuse, to point out and explain to the people of this country what I conceive to be the best plan to be pursued,—that is to say, that of beginning with the making, not of sewing silk, but of the different qualities of raw silk for exportation,—I felt desirous of convincing the public of its practicability by actual and immediate experiment. Having heard that mulberry trees and silk worms were raised in great quantities in the vicinity of Baltimore, I procured letters of introduction from my friends here, and made a visit to that city. I had expected to find there a sufficient quantity of perfect cocoons, to make at least a hundred pounds weight of raw silk, for which I was certain of an immediate sale. It would have given me great pleasure,

before returning to my native country, to have seen American raw silk quoted in the Philadelphia newspapers, at fair regular prices, as an article of merchandise. I would thus have benefited at the same time France and the United States, and could have returned home with honor, if not with profit, leaving behind me a pleasing remembrance.

Full of this project, I went to Baltimore, and I here hope I shall be excused if I express my sincere gratitude for the kind treatment that I experienced during five days that I remained there, from the inhabitants of that patriotic and hospitable city. The memory of it shall never be effaced from my mind. I failed, however, in the main object of my journey. I found a great many cocoons—enough, indeed, to produce, by means of their eggs, at least one hundred quintals for the next season, and all these raised within the circumference of a few miles. But to my great mortification, there were very few of them that were perforated, the moths having been suffered to escape, so that they could not be used in the preparation of fine silk. They might, indeed, have been employed in making sewing silk, but that was not the object that I had in view; besides, that article, to compete with that manufactured in Europe, cannot be made without the necessary machinery, particularly the *throwing mill*, of which I have made mention in some of the preceding numbers.

Upon the whole, however, I have no reason to be dissatisfied with my Journey. I found the silk of Maryland not in the least inferior to that of Pennsylvania, and I have seen cocoons sent to a friend of mine from Norfolk, in Virginia, the product of worms fed on the leaves of the wild native mulberry, the silk of which was equally beautiful, with this difference, that they contained more of the floss or refuse silk, and consequently cannot be so profitable as the others. I witnessed also the extraordinary zeal of the inhabitants for the culture of this article; one lady showed me fifteen hundred pounds weight of cocoons produced on her plantation, at the distance of three miles from the city. At the same time I must own, that I did not find that the people possessed sufficient instruction respecting the manner of raising the silk worm; the insect which produced the cocoons appeared to have more or less suffered for want of skilful care; indeed the lady to whom I have just alluded, candidly acknowledged to me that she had no instruction at all, and that she had only followed her own observation and judgment. I am astonished that she succeeded so well.

It seems to me that the publications that have appeared in this country on the subject of the culture of the mulberry and raising of the silk worm, are by far too voluminous for an extensive circulation, and too full of details, for the most part of minor importance.—They are in general compiled from foreign works, written for the direction of the European peasantry, who are by no means so intelligent or so well-informed as the farmers and planters of the United States. I have therefore promised, at the instance of my Baltimore friends, to publish in time for the next season, *The Silk Culturist's Almanac, for the Year 1830*; in which it is my intention to condense into a small space, in that cheap and popular form, the principal directions necessary to be attended to, omitting the minute details with which the existing books on this subject are generally loaded, and leaving as much as possible to the judgment of the intelligent cultivator. Due attention will be paid to the differences arising from the variety of climates of this country, and nothing shall be inserted but what shall be thought absolutely necessary; and in the preparation of that little book, I shall be assisted by the gentleman who now holds the pen for me, and who unites his labour to mine in the composition of these essays. I by no means pretend to produce a perfect or complete work, I shall only endeavour to convey, in plain and perspicuous language, the practical knowledge which I have acquired by experience, so as to enable the Ame-

\* The *Silk Culturist*, to be published quarterly; the second number to appear in October next. Also by the same author, "Practical Instructions for the Culture of Silk and the Mulberry Tree." Vol. 1. New York. Sold by William B. Gilley, No. 94 Broadway, and by the editor, No. 71 Liberty-street.

I find also advertised in the New York newspapers, "A Methodical Treatise on the Cultivation of the Mulberry Tree and the raising of Silk Worms, and on Winding the Silk from the Cocoons. By William H. Vernon, of Rhode Island. Being an abridgement of a large French work, by M. De la Brousse.

rican farmers to undertake the raising of silk worms, and the production of good, saleable cocoons, with reasonable hopes of success.

I find that I have wandered somewhat from my main subject, but I have thought that this digression, occasioned by my journey to Baltimore, would not be unacceptable. I am hastening as fast as possible towards the conclusion of these essays, fearing that I have already trespassed too much on the patience of an indulgent public.

J. D'HOMERGUE.

24th August, 1829.

### COAL MINES OF MAHANAY.

The following interesting notices of these mines are extracted from a letter to the editors of the "Register," who are authorised to make certain references as to the important facts stated. They present to us another strong inducement to persevere in the construction of the Baltimore and Susquehanna rail road, so happily begun on Saturday last—the centenary of our incorporation.

"These mines have hitherto been little known: but the time is not distant, when their value will be appreciated. Their proximity to the Chesapeake, compared to the other coal fields of the Susquehanna, render them well worthy the immediate attention of the enterprising capitalists of Baltimore: the lightness of the coal, and easiness of ignition, are said to excel the Lehigh and Schuylkill, which are not so hard, or heavy, as the Luzerne coal.

The Mahanoy mines consist of pure, but very light anthracite, approaching more nearly to charcoal than any other known in Pennsylvania. They are situated about forty miles north of Harrisburg; eight miles east of the Susquehanna, to which the descent is easy and unimpeded, and ten miles from Sunbury; bearing from this place from S. W. to N. E. the western termination of the range is in, and near, the forks, of the big and little Mahanoy creeks, which may readily be found on Mellish's late map, entering the Susquehanna 14 miles below the confluence of the West and North Branches, and about 130 miles from the tide water of the Chesapeake.

The coal field is about ten miles in length, extending north 80° E. to the Shamokin Creek, at Mr. Boyd's mines, gradually widening from one half a mile, at the western bluff, to two and a half, bounded on each side by a ridge, diverging as they proceed eastward. Thus is formed a sort of sequestered, but elevated wall, which is principally a mass of anthracite coal. It lies generally within a few feet of the surface, and sometimes breaks out above it. In the face of the bank of "Serby's" brook, the coal begins about four feet below the surface, and is still found at the base of the bank, in the bed of the stream, about sixty feet below its commencement. How much deeper the vein lies has not yet been ascertained. At thirty feet back from the margin, the ground has been opened to the depth of sixteen feet, through continuous coal, to a stratum of *schistus*; beneath which, doubtless the coal again proceeds, at least as deep as in the bed of the adjacent stream.

The mines are stated to possess the following advantages, among others—

1. Their *geographical position* is about 70 miles nearer to the Chesapeake bay than those of Wilkesbarre, or any other valuable mines on the Susquehanna; which distance is supposed equivalent to one dollar and forty cents per ton, in transit to market, upon a canal or rail road. An act of the legislature has been passed for the incorporation of a company to make a rail road, from the mines to the river, which route is a gentle descent, upon good bottom. Coal might thus be delivered at the river, at from 40 to 60 cents per ton.

2. The *quality* of the coal has been comparatively

proved with the Schuylkill, by one of the ablest chemists, who pronounced it the best he had examined.—Thirty pounds of each were burned under similar circumstances, and as the Mahanoy was found to be more easily ignited, emitting in combustion, a more intense heat, and more caloric. Its specific gravity 1.25, the Schuylkill, 1.433.\*

3. The *mining operations* may be performed with great facility. The strata of coal are horizontal or nearly so; and thus the roof may be supported by coal pillars. No labour will be needed to discharge water from the pits, for it may be readily drained off into the streams intersecting the field.

*Iron ore* appears to abound in these lands, fine timber is plentifully found along the waters, and elsewhere; some fertile valleys in the vicinity are settled by industrious Germans; and, for *water power*, the Mahanoy is decidedly the finest creek in Northumberland county."

Niles' Register.

\* A gentleman of Baltimore, of much respectability, engaged in ironworks, having tried about twenty tons, says it is much more pure than that from Wilkesbarre; and that, if any anthracite coal smelts iron ore, it will be such as this, which resembles charcoal more than any he has ever seen.

West Chester, Aug. 25.

We received from one of our neighbors in East Bradford, some time last week, a stalk of oats, measuring about 5 feet ten inches in length, and heavily loaded with grain—and which, he says, did not hold its head higher than some of the rest in the same field. That's equal, we presume, to any thing in Delaware, Montgomery, or Lancaster counties—and is a proof of the unusual productiveness of the season.

We were last week presented with a stalk of corn, raised by Mr. David Carr, of this borough, measuring 16 feet, set with two full ears.—Record.

*A Double Egg.*—We have often seen a "wheel within a wheel," but never an egg within an egg, until one day last week, when invited to the house of Mr. Alspach, hatter, of the town of Carlisle, Pennsylvania, who produced a *hen's egg*, much larger than the common size, and gave the following account of it:

"It was an egg of the large breed of fowls, and when broken, it was discovered that another egg of common size, with a perfect shell was inclosed.—The substance of the outer egg was used, but the inner one and the outer shell he keeps as a *curiosity*." They are phenomena.—Carlisle Volunteer.

Appointment by the Governor.

SIMON CAMERON, Esq. of Harrisburg, to be Adjutant General of the Militia of the Commonwealth of Pennsylvania, in the place of George B. Porter, Esq. resigned.

*Large Cabbage.*—Mr. Isaac Meyer, of Passyunk, had on Monday last, in the New Market, in South Second street, among other excellent vegetables, a cabbage, weighing 18 pounds.

Two statues have been placed in the State House Yard. One on the west side, corresponding with the part of the public buildings occupied by the Courts, represents Justice. That on the east side corresponding with the part of the public buildings occupied by the City Councils, represents Wisdom.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 10. PHILADELPHIA, SEPTEMBER 5, 1829. NO. 88.

## DOCUMENTS

*In relation to the Extent and Causes of the present General Distress throughout the Commonwealth, &c. Read in Senate of Pennsylvania, February 14, 1820.  
(Continued from page 142.)*

The committee appointed on the 10th of December last, to inquire into the extent and causes of the present general distress, beg leave to present to the Senate, the documents which have accompanied their report of the 29th ult.

They consist of—

1. A copy of the interrogatories addressed by the committee to the members of the Legislature and others.

2. A number of answers to the same.

3. Official statements of the prothonotaries and sheriffs of most of the counties in the state, exhibiting the number of actions for debt, judgments entered by confession, sheriff's sales, and imprisonments for debt, in their respective counties, during the years 1809 and 1819.

4. A statement of the notes in circulation, specie on hand, and annual dividends of the country banks from the period of their commencement, until November, 1819.

5. A similar statement of the city banks from the year 1814.

6. A statement of the amount of loans made by the city banks, including their branches, to individuals, from the year 1814 to 1819.

7. A table showing the fluctuation in the value of city and country bank notes, from the year 1815 to 1820.

8. A list of unlawful banks and incorporations, issuing orders or notes in the manner or nature of bank notes.

9. A statement of the present condition of the manufacturing classes in Philadelphia and Pittsburg.

No. 1.

*Interrogatories addressed by the committee to a number of the members of the legislature and other citizens.*

1. Is the distress so generally complained of, experienced in your district, or in any part of it?
2. Under what forms does it exhibit itself? Is it accompanied by the embarrassments of farmers, merchants and others, by a general scarcity of money, by sacrifices of property, and by numerous law suits, particularly before justices of the peace?
3. What proportion of the inhabitants of your district do you suppose, are affected in their business, their revenue, or their usual punctuality, by the pressure of the times?
4. Is money easily to be procured on mortgage where indubitable security is offered? If so, at what rate?
5. Was money, before the introduction of the banking system, easily to be procured upon such security, at legal interest?
6. What was the price of the best improved land in your neighbourhood, in the year 1809, or thereabouts?
7. What was the price of the same land during the height of speculation? And in what year was speculation at its height?

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8. What price do you suppose the same land would now sell for at public sale?
9. Is there a bank in your district, and what bank, and when was it established?
10. Did property first begin to rise when the banking system was introduced?
11. Did it begin to fall when the banks first began to call in their loans?
12. To what has the distress in your district been generally ascribed by the citizens?
13. Have not your merchants, storekeepers, and others, overtraded? If so, is not their overtrading to be ascribed to the facility of obtaining bank loans?
14. Has there been a great fall in the price of agricultural produce generally, during the last five years? If so, say how much per cent.?
15. Do you believe there is much specie hoarded by the citizens of your district?
16. Have there been any great sacrifices of real estate, or of personal property within the last two years? If so, name some particulars?
17. Has a scarcity of money been felt by men who are rich in property, as well as by the labouring classes?
18. Do the inhabitants of your district experience losses and inconvenience from the circulation of depreciated bank notes?
19. What advantages do you conceive, have been experienced by your section of the country, from the introduction of the banking system, particularly as relates to internal improvements?
20. Do you consider that the advantages have outweighed all the evils attendant upon the banking system?
21. Have many people been deprived of their usual employment, by the suspension of manufacturing industry?
22. Has the consumption of foreign manufactured articles much increased in your district, within the last ten years?
23. Has a spirit of extravagance in dress, furniture and dwellings, pervaded your neighbourhood, to an extent beyond what usually results from a gradual increase of wealth amongst the people?
24. Has there not been of late years less domestic industry in the fabrication of articles for family use than formerly?
25. Can you state the amount loaned by banks in your neighbourhood, to road and bridge companies, and whether the said loans have been repaid, or are likely to be, without a resort to legal compulsion?
26. What was the motive which led to the establishment of so many banks?
27. Have any of the farmers in your neighbourhood been so ruined by speculation in property, as to be obliged to remove from the state?
28. Have usurious transactions been frequent within your knowledge? If so, enumerate some instances of extortion?
29. Does the bank or banks in your district, if there be any, redeem their notes in specie on demand, for any amount that is presented, or are their notes at a depreciation in Philadelphia, and what depreciation?

30. Is there any specie in circulation in your district? If yes, what proportion does it bear to the paper? Is it silver or gold?
31. Are there in circulation in your district any notes or tickets issued by corporations, which are not authorized by law to issue notes or tickets? If yes, say by what corporations they are issued, and what is their lowest denomination?
32. Do you not suppose that the spirit of speculation, engendered by the facility of procuring bank loans, or by other causes, has had a sensible effect in diminishing the number of productive labourers, and that thus, whilst the nominal prices of commodities were raised, the real quantity of the products of industry were diminished?
33. Have any of the contractors for the construction of roads or bridges, who have been aided by bank loans, been ruined by their undertakings?
34. Are you a stockholder in any bank?

## No. II.

*Answers, by a member from Bedford County.*

1. Yes—although the distress is not experienced in every part of the county to the same extent. Forced sales are more numerous in some parts, than in others.
2. The scarcity of money is experienced by all generally. Farmers are amongst the least sufferers, being only limited in their improvements. Mercantile class complain, but very few failures. Sacrifices of property are frequent, but chiefly confined to personal property. Lawsuits are numerous, but the distress principally arises from the collection of the sums within the jurisdiction of a justice of the peace.
3. All who are in business are affected. Rents being their principal revenue, affected one fourth. Punctuality will fall short at least one half.
4. Not to be procured, even at the most exorbitant rate.
5. Not easily at legal interest, but generally procured when needed by a small acknowledgment.
6. From thirty to forty dollars per acre.
7. From eighty to one hundred dollars per acre, in 1815, or thereabouts.
8. From twenty to thirty dollars on terms. For cash scarcely a sale could be effected.
9. Yes—The Allegheny bank of Pennsylvania, established as a district bank, shortly after the passage of the "Act regulating banks," March 21st, 1814.
10. Generally so understood, but more rapidly after the declaration of war in 1812.
11. Soon after that time
12. Generally to the inundation of bank paper and foreign goods, too great an extension of credit. Hostility of the city banks to country banks, thereby destroying the credit of their paper—all confidence in it being lost—the people deprived of its usefulness—deprived of that good anticipated by the citizen petitioners, and finally brought ruin and distress on the people.
13. In some few instances. May be in part ascribed to that cause.
14. Yes, generally, but principally confined to the last three years. Wheat, rye, and corn, fifty per cent. Averaging all other agricultural produce at twenty-five per cent.
15. No—If hoarded, not generally known. The formation of the bank had a tendency to lessen the sums of specie hoarded.
16. Of real property scarcely any within my knowledge. The sheriff generally postponed sales from court to court, consequently but few within the last two years. Of personal property more frequent, report says for about one sixth of its value.
17. Yes—Although not so much affected.
18. Not from circulation, because no person will take it at this time. The only loss arising from it is, being of no value. Cannot be taken for property, consequently the sales are more limited.

19. The grand turnpike road, extending from the summit of the North mountain, to the summit of the Allegheny mountain, about fifty six miles in length, with a number of elegant bridges, the greater part being permanent stone bridges; also a number of establishments, such as merchant mills, fulling mills, iron works, &c.—besides fine dwelling houses erected, &c. may all be attributed to that source; for had not that inundation of bank paper reached our district, individuals would not have joined to aid the state in the completion of this almost insurmountable mass of labor, consequently nothing as yet would have been done.

20. In a public point of view, I believe I might answer in the affirmative. But the losses and sufferings of individuals perhaps might outweigh and turn the scale.

21. Perhaps in their usual employment a few, but with the exception of the last six months all could find employment.

22. Yes to a great extent, especially within the last five years.

23. I believe not, with the exception of a few instances in dress.

24. Yes, considerably less—owing to the cheapness of foreign articles.

25. Not the exact amount loaned. I believe the Chambersburg and Bedford road company are indebted to the Allegheny bank of Pennsylvania upwards of thirty thousand dollars. Legal process issued, and judgment obtained. Report says, the Bedford and Stoystown company are indebted to that bank; the amount not known—if true, no doubt they have, or will issue legal process—they have no funds to prevent it, &c.

26. A desire to enjoy equal rights and privileges with the citizens where banks had been established.

27. Not any, to my knowledge.

28. Not within my knowledge.

29. The bank does not give specie for her notes. At Philadelphia the depreciation about 25 per cent.

30. Yes—In the smaller matters generally specie.—On the payment or receipt of large sums, quite otherwise. The scarcity of money almost prevents the payments of large sums. The proportion may be estimated at one half. The toll taken gives a specimen, that being more than half.

31. None at present. Tickets were issued by the turnpike road companies; their lowest denomination one dollar, and in the character of promissory notes with interest from their dates.

32. In answer to the first part, Yes—Numbers, from this cause, were diverted from productive labor, engaged themselves in various pursuits; and to the second part, Yes—It was one cause, that the real quantity of the products of industry were diminished.

33. Not any to my knowledge. I never knew of any of the contractors to be aided by the bank in my district.

34. I am not. And I further add, I never was at any time.

*Answers by a member from Lebanon County.*

1. It is general throughout the county.
2. By the farmer having no market for his surplus produce, and the mechanic and laborer no employment.
3. Nine out of ten.
4. Some small loans may be obtained at the rate of six per cent.
5. Large sums might be had at legal interest previous to the banking system.
6. First rate land from \$40 to \$60 per acre.
7. In the year 1816 and 1817, first rate land sold from 130 to 150 dollars.
8. From 50 to 70 dollars.
9. There is none in Lebanon county.
10. Some few years before.
11. Yes.
12. As is stated in No. 2, and to the banking system.
13. None that I know of.

14. There has. The percentage is known in Philadelphia and Reading.

15. Perhaps by some few individuals.

16. We have suffered but very little as yet, till of late the sheriff has sold a house and lot for 180 dollars. which is said to be worth 1000, but the sale was set aside.

17. Yes it is, for want of market as above stated.

18. Not any at present, as there is none in circulation but par paper.

19. None. 20. No. 21. Yes. 22. No. 23. Yes.

24. No.

25. The Berks and Dauphin turnpike road company has borrowed large sums from the Reading bank, which they have not repaid, and have no means to pay without legislative interference.

26. Pray ask the legislature of 1814.

27. None that I know of.

28. No.

29. We have no bank in our county.

30. Some small sums of silver can be obtained at any time for par paper.

31. There are none.

32. I cannot answer this question.

33. None as yet. 34. I am not.

*Answers by a member from Bedford and Tioga counties.*

1. The distress complained of general.

2. Accompanied by all those difficulties.

3. Experienced generally.

4. No. 5. Yes.

6. From 6 to 14 dollars.

7. In the year 1814, from 10 to 20 dollars.

8. From 3 to 10 dollars.

9. There is no bank in my district.

10. It began to rise before.

11. Yes.

12. The scarcity of money in other places, drew it out of circulation, and the banks drew their specie into their vaults.

13. No.

14. Within three years 50 per cent.

15. No.

16. Yes. Several instances real and personal. Mr. S's. real property worth 2000 dollars. sold for 700 dollars. Mr. H's. worth 2500, sold for 500 dollars.

17. Yes. 18. Yes.

19. A great disadvantage.

20. Yes.

22. Yes, but not so much so, as in many other places or districts.

23. No.

24. Yes, but not so much as in other districts.

25. No. 26. Speculation. 27. No.

28. None that has come to my knowledge.

29. No banks in my district.

30. Not much in circulation at present.

31. There is none at all.

32. Some injured by bank loans, but not general.—Money went out of circulation, and injured those in moderate pursuits. It is harder to pay 10 dollars now than 30 6 or 8 years ago.

33. Not to my knowledge.

34. No.

*Answers by a member from Somerset and Cambria Co's.*

1. The distress complained of in my district in general.

2. It is accompanied by the embarrassments of farmers, merchants and others, by a general scarcity of money, by sacrifices of property, and by numerous lawsuits before justices and otherwise.

3. Generally affected in their business.

4. No. 5. Yes.

7. Land at its height in 1814, from 15 to 50 dollars.

8. Same land, at public sale now, from 5 to 20 dollars.

9. No bank in my district.

10. Property began to raise when the banks were established; not before.

11. When banks began to call in, land began to fall.

12. The distress generally is ascribed in our district, to the scarcity of money in other places; it is ascertained that the banks drew it out of circulation.

13. Storekeepers made bank loans, and overtraded, and drew money out of circulation.

14. Yes, of 40 per cent.

15. No, not much.

16. Sacrifices of real and personal property from 50 to 75 per cent have been made.

17. Yes. 18. Yes.

19. A disadvantage.

20. No. 21. Yes.

22. Yes, but not so much so, as in some other districts.

23. No.

24. Yes, but of late they are taking to it.

25. No, but sometimes considerable has been loaned by the storekeepers and some traders.

26. A resort for money to speculate on. The friends of speculation encouraged them in the place of pursuing honest industry.

27. Several properties have been sold from people using an honest and industrious pursuit, who have been injured from the want of a circulating medium, and a consumption for produce.

28. Yes, frequently, but they generally screen themselves by taking produce for the interest. The extent much in that way, which ought to be removed.

29. There are no banks in my district, but what paper is in circulation is depreciated, except some eastern paper. The depreciated paper, the store keepers and speculators *have close*, and the industrious class are glad to get clear of it sometimes at half its face.

30. But little.

31. Yes, by different turnpike road companies, are obliged to do so, for the want of circulation medium.

32. Some engaged by bank loans, but not general.—Money went out of circulation, and injured those in moderate pursuits who purchased property at a fair price, and who after paying a part of the purchase money, depended on their labor to pay their instalments, and not having a market for their produce, have been taken at a disadvantage.

33. No, but they have risked their credit otherwise.

34. No.

*Answers, by a member from Cumberland County:*

1. General.

2. Under all these forms.

3. Two-thirds of the people.

4. It is not without extra interest.

5. It was.

6. From 40 to 60 dollars.

7. From 150 to 200 dollars in 1813 and 1814.

8. At sheriff's sale from 25 to 40 dollars.

9. Two until lately—One commenced during the mania, and continued until last summer—The other before 1814, and continues.

10. Soon after.

11. Shortly after.

12. Excessive speculation, and depreciated bank paper chiefly.

13. They have.

14. Very great. In general 50 per cent.

15. Not a great deal.

16. Both to a great extent, especially real estate.

17. By those who hold property especially.

18. Not so much at present, as three or four years back.

19. None at all.

20. The evils have far overbalanced the advantages.

21. At least one-third.

22. Articles of clothing especially.

23. In all, but in dress in particular.

24. Nearly one-half.

25. Little loaned for public improvements; a large

amount for private purposes, which must be collected by process of law.

26. An avaricious desire for money, and a delusive belief that banks would make it abundant.

27. Some have.

28. Excessive, beyond credibility. In one case a Mr. —, bought a bond to the amount of \$1600 for \$400. In another, one for \$2300 for \$300.

29. The notes of one are worth nothing; those of the other are redeemed on presentment.

30. About one sixth, chiefly in silver.

31. None except the turnpike company bills, from 1 to 10 dollars.

32. I answer in the affirmative.

33. None.

34. I never held one cent, until one month since, when I was compelled to take \$100 of stock by transfer, for a desperate debt.

*Answers by a member from Dauphin County.*

1. It is complained of in our district severely.

2. It exhibits itself in every particular shape specified in the questions, particularly as far as relates to the justices of the peace.

3. There are supposed to be seven out of ten.

4. It is not to be obtained at any rate whatever.

5. It was to be obtained upon good security, but not so plenty as in some other parts of the county.

6. Good improved land would at that time sell at from 16 to 24 dollars per acre.

7. In the latter part of the year 1815, and the spring of 1816, land sold from 25 to 45 dollars per acre.

8. At present it would not sell for more than 12 or 15 dollars, and not at that for cash.

9. None nearer than Harrisburg.

10. It did not before the branch bank was established in Harrisburg, but took its main rise after the forty banks were established.

11. Yes, it did, but more so, when the paper became more depreciated.

12. To the banking system.

13. Certainly it is the case, with some.

14. There was not, until the last year.

15. There is in my opinion very little hoarded.

16. There have been—A lot and house were sold at Millersburg, where the lot only paid the costs of sale and five dollars of the debt. A wagon and four horses, valued at 400 dollars, were sold for 125 dollars. Constable's sales are held in my neighbourhood, I might say weekly, almost daily.

17. It has so.

18. Great losses indeed.

19. None at all.

20. I do not.

21. A large portion.

22. It has.

23. It has in a great measure.

24. It has on account of the foreign articles coming cheaper than they could afford to make them.

25. To my knowledge none for the use of public improvements, but a large amount for other speculations which is still yet unpaid to the banks.

26. I believe the principal motive was speculation.

27. Not many, I might say not any at all. There are some brought so low, that I think they are not able to leave the state.

28. Not to my knowledge.

29. I believe the banks of Harrisburg do, and their notes are at par or nearly that.

30. There is a small portion in silver or copper, five to one hundred; the rest is great part, Reading bank paper.

31. There are none.

32. It is my opinion so.

33. As there are no public improvements with us, think there are none.

34. I am not.

*Answers by a member from Adams County.*

1. Yes, perhaps not so great as is represented in many others.

2. Yes, in all the aforesaid cases.

3. All, or with very few exceptions.

4. Not at all.

5. Yes, paper money then in circulation, not specie.

6. From about 30 to 50 dollars.

7. In common not more than double; it was nearly as high at or before the banks were incorporated in the summer and fall of 1814, as after the passage of the law.

8. Nothing at all.

9. Yes, Gettysburg bank, established under the general banking system.

10. It had risen before, as already answered.

11. About that time, though I do not think that the cause.

12. Many causes combined to produce these effects, among which were the following, viz. An excessive importation to supply a deficiency occasioned by preceding restrictions on commerce, and the war which followed, the high wrought calculations on a return of peace, aided by the banks which unfortunately at that critical period came into operation; the avidity with which commercial men strove to possess themselves of specie, by sending out their shavers, brokers and speculators, to seize the paper of the banks as soon as it issued, and the consequent depreciation which ensued; the inducements to overtrade; the deceptive nature of cheap goods, purchasing more than we had need of, and more than we were able to pay. Indulgence in fashion, in ease, in extravagance, in clothing, furniture, &c. &c. all these and many more combined to produce the present state of things.

13. They have overtraded on their own stock; I know of none who are indebted to the banks.

14. When we speak of produce generally, I think it has fallen from 50 to 60 per cent.

15. Very little, it is mostly employed in shaving notes and in purchases at public sales.

16. No real estates have been sold; private property has in many instances which I could name, where they have sold for not more than one-fifth of their value.

17. Yes.

18. None that I know of.

19. There has but very little of it I think been drawn for that purpose, excepting to turnpike roads.

20. Perhaps they have, I do not charge these evils to the account of the banks as necessarily arising out of them, evils have arisen, over which the banks had no control.

21. Not many, we are a manufacturing district; common laborers are abundant.

22. Yes, to a most ruinous extent.

23. Yes, I might say tenfold beyond the natural increase of wealth.

24. Yes, among the fashionable class there are many who retain their former habits.

25. I cannot state the amount, but there has been no resort to legal compulsion.

26. Doubtless it was a prospect of gain, being little employment for money at the time, owing to war and embargoes as already observed.

27. None.

28. No—none that I know of.

29. Yes, to any amount, they are at about 2½ in Baltimore, where we principally trade.

30. Very little.

31. None at all.

32. Yes, see answer to No. 12.

I answer No, to the two remaining questions, 33 and 34.

*Answers, by a member from Lancaster County.*

1. It is experienced over the whole county of Lancaster, and is unexampled in great part thereof.

2. It exhibits itself in various forms, viz. by a very large number of insolvent debtors, by the embarrassment of all classes, (except as enumerated in the 3d answer,) by scarcity of money, and consequent sacrifice of property, and by numerous law suits, as well in the common pleas, as before justices of the peace.

3. All, attorneys, sheriff, constables, justices of the peace, and officers generally, are benefitted; and all other classes more or less the reverse.

4. No.

5. Yes.

6. From 75 to 100 dollars.

7. The height of speculation was in the years 1813-14; the price of first rate lands was then from 250 to 300 dollars.

8. From 50 to 70 dollars.

9. Yes, there are five, viz. a branch of the Pennsylvania Bank, established at Lancaster about 16 years ago; the Farmers' Bank of Lancaster, at the same place, established about 10 years ago; the Lancaster Bank, established at the same place 1814; the Marietta and Susquehanna Trading Company, and the Columbia Bridge Company; the former established at Marietta, and the latter at Columbia, both in 1813.

10. Property, especially real, began to rise gradually about the time of the establishment of the Farmers' Bank of Lancaster, but the rise thereof increased more rapidly when the remainder went into operation.

11. Yes.

12. It has been ascribed to many causes combined, viz. the high price of real and personal property in the years of 1812-13 and 14, when many large debts were contracted, and not yet paid, and when immediately after the general peace in Europe and here, such large quantities of foreign merchandize were imported, and at the same time produce of every description depreciated in value, and the banks curtailing their discounts to a large amount—those are believed to be some of the causes.

13. Yes, generally so, together with the depreciation in value of their stock on hand, from time to time.

14. Yes, from 50 to 75 per cent.

15. A considerable amount.

16. Yes, many—for instance, an elegant three story brick house, together with two lots of ground, in the borough of Marietta, finished in best modern style, covered with slate, fronting on one street 45 feet, and on another 90 feet, with all the necessary out houses, the building of which in 1814, cost, exclusive of the lots, \$16,000, was lately sold at sheriff's sale for \$1,600.—Another brick house, three stories high, with two lots of ground, and all necessary out buildings, almost finished, the house fronts one street 45 feet, and the other street 104 feet, sold lately at sheriff's sale for \$1,000. Another, a frame house, painted and finished, 35 by 40 feet, two stories, which sold in the time of speculation for \$5,000, was lately sold at sheriff's sale for 215 dollars. And vacant lots, which sold in the times of speculation, at from 1,500 to 2,500, were lately sold at from 5 to 15 dollars each. A farm, which in times of speculation could have been sold for 300 dollars per acre, was lately sold at sheriff's sale for 53 dollars per acre. Many similar cases might be enumerated in different parts of the county.

17. Yes.

18. None at present, but formerly they did.

19. Considerable in roads, bridges, mills, houses, &c.

20. No. 21. Yes.

22. Yes. 23. Yes.

24. Yes—but since the distress has pervaded us, family industry has again made considerable progress.

25. Considerable, but the sum I am not able to specify; it is not re-paid, nor likely to be without legal compulsion.

26. The same which so generally leads to all human exertions, viz. gain.

27. Many.

28 There have been some cases; the rates from 9 to 12 per cent.

29 Yes, all—except the bank at Marietta, which is at 35 per cent. discount.

30 Yes—both gold and silver; but the proportion I am not able to state.

31 No. 32 Yes.

33 Some have, and it is feared several more will be.

34 No.

*Answers, by a member from Delaware county.*

1 None but that which would naturally follow a peace after a long war in Europe, to a neutral nation, who carried on an immense trade with the belligerents, far beyond the support of their internal resources.

2 A want of market for the surplus produce of the country; and employment for a monstrous surplus tonnage in consequence of the belligerents becoming their own carriers. The different items of distress stated in this question are of course all felt, and resulting from the above two causes.

3 All—Lawyers, magistrates, and constables, favorably; all others unfavorably, and in consequence of the two first reasons.

4 Easily at six per cent.

5 Yes.

6 From 75 to 120 dollars.

7 From 100 to 150 dollars, cannot answer what year.

8 From 40 to 75 dollars.

9 Yes, at Chester, one of the forty.

10 Some time before, and continued rising, but I know of no effect the bank had.

11 Delaware county bank has not in any way I know, affected the price of land in the county; the directors have called in but a very small portion of their loans, and never pressed, but when previous judgments forced them.

12 See answers to questions 1 and 2.

13 No.

14 Yes—The ratio I know not exactly.

15 Not more than from one to thirty years back.

16 We have suffered very little in Delaware county, and I know of no particular sacrifices.

17 Yes—for want of a foreign market.

18 No. 19 None.

20. I don't think the effect is sensibly felt. The monied men bought the stock, and the bank lends in place of the individual. I consider the bank a neutral institution, as regards this question.

21 Yes. 22 No.

23 Yes. 24 No.

25 I believe none, but some little to individual contractors for sections of turnpikes, on individual security, but not more, I think, than from 3 to 500 dollars.

26 Please enquire of the legislature of 1814.

27 I know of none.

28 No.

29—Specie payments—no depreciation.

30 Yes—but I can't state the proportion. I hear no complaints on this head.

31 I know of none.

32 I am not able to answer this; but if I understand, I should say no.

33 No.

*Answers by a member from Northumberland county.*

1. It is in all the districts to a certain degree, but not so much so, as in some other parts of this commonwealth.

2. Farmers, merchants and others are affected owing to a general scarcity of money. I cannot say there has been much property sacrificed, but believe the lawsuits numerous before justices.

3. All.

4. No—very little to be had at any rate.

5. I believe not.

6. From thirty to forty dollars.

7. From eighty to ninety dollars, 1815, I think.



8. From thirty to forty dollars.
9. Northumberland, Union and Columbia bank, 1814, or 1815.
10. It had commenced to rise before the general banking system was introduced.
11. Yes.
12. To the bank ceasing to discount, calling in their money, and the reduction of our produce in price.
13. I cannot say they have.
14. There has, within the last year or two, from fifty to seventy five per cent.
15. No.
16. There has been but few, if any.
17. It has. 18. They do.
19. In the erection of two bridges, one over the north and the other over the west branch of the Susquehanna, and the Centre turnpike road.
20. I do not.
21. A good many.
22. I think not.
23. I think not.
24. I think not, but rather the reverse.
25. The bridges over the north and west branches of the Susquehanna have, I believe received loans. To what amount I cannot say, but no doubt will be able to pay without compulsion.
26. Speculation.
27. Not in my recollection.
28. There has been instances where twelve or perhaps more per cent has been taken in the purchase of bonds. I have little doubt but bonds to a large amount could be got at a discount of twelve per cent.
29. They do not redeem their notes in specie of any amount. I cannot say the exact depreciation they are at in Philadelphia.
30. Silver is more plenty than paper; not much gold to be seen.
31. There is some issued by the managers of the Berwick bridge; the lowest denomination one dollar, and I believe all paid in specie, on demand.
32. I do not.
33. Not to my knowledge.
34. No.

*Answer by a member from Berks and Schuylkill counties.*

1. Yes. 2. Yes.
3. All, less or more.
4. No. 5. Yes.
6. From eighty to one hundred dollars.
7. From one hundred and fifty to two hundred dollars.
8. From eighty to one hundred dollars.
9. Farmers' Bank of Reading established in 1814.
10. Yes. 11. Yes.
12. To the banks and speculations of individuals.
13. Yes, in some measure.
14. More than fifty per cent.
15. No, not much.
16. Yes, there are numerous instances where they have brought little more than one third of their value.
17. Yes. 18. Yes.
19. No very extensive advantages.
20. No. 21. Yes.
22. Cannot say particularly. 23. Yes.
24. Cannot pretend to say.
25. About 50,000 dollars to the Centre turnpike company, not yet repaid, but a judgment has been obtained against the managers for the time being.
26. Do not know.
27. No, not to our knowledge.
28. Yes, but cannot particularize them.
29. The Farmers' Bank of Reading does not, but the Branch Bank of Pennsylvania, at Reading does.
30. There is a very small quantity in circulation in our district.
31. No. 32. Yes.
33. We do not know of any.
34. One of the members from the district is.

*Answers by a member from Northampton, Wayne and Pike counties.*

1. It is generally felt throughout our district, in the extreme.
2. The embarrassment is general, but felt more particularly by farmers and mechanics. The sacrifices are great, and suits before justices have increased within two years four-fold.
3. Nine tenths.
4. It is not to be procured at any rate, except in very few instances, and then at a high rate of interest.
5. It was easily procured at six per cent.
6. From eighty to one hundred dollars.
7. From one hundred to one hundred and forty dollars. Speculation was at its height in 1815 and 1816.
8. From fifteen to twenty dollars; in some instances higher, and many lower.
9. There is one called the Easton Bank; established in 1814; also a branch of the Pennsylvania Bank.
10. Property had taken a moderate rise before the numerous banks were incorporated, but took an unusual rise immediately after the banks were in operation.
11. It did.
12. To the banking system generally.
13. They have; and their over-trading is partially to be ascribed to the facility of bank loans.
14. There has been a great fall within three years, say from forty to fifty per cent.
15. Very little, except what is in bank.
16. Yes—there have been numerous instances where property both real and personal has been sold for less than one fourth its value, and in some instances for not one sixth.
17. Yes—more by men of property, than the laboring part of the community.
18. Not to any great extent, as there is very little of any kind in circulation.
19. Perhaps some, not to any great extent.
20. I do not—but far the reverse, as I think the evils over balance the advantages derived from them, one hundred per cent. and more.
21. A considerable number.
22. It has to a considerable extent, until within two years much has been used and consumed.
23. Yes. 24. Yes.
25. I cannot answer.
26. To assist farmers and mechanics in their agricultural and mechanical pursuits.
27. Yes, many.
28. Yes, we have known money loaned by way of selling good endorsed notes, at eighteen, twenty-five and thirty per cent.
29. Yes, the banks pay specie, and their notes are at par in Philadelphia.
30. Very little, not more than a twentieth, in proportion to paper.
31. None.
32. Yes, to a great extent.
33. I know not any who have received loans.
34. I am not.

*Answers by a member from Bucks county.*

1. The citizens of my district experience in common with other citizens of the state, considerable embarrassment in their pecuniary concerns, particularly that class of persons, who have embarked in extensive speculations.
2. There is a depreciation of at least 33 per cent on real estate within the last four years; law suits have increased before justices of the peace; and property when sold by execution generally at a considerable sacrifice.
3. I believe that persons of all descriptions within my district are either directly or indirectly affected by the pressure of the times; but particularly those who have made recent purchases of land at its late high price.
4. Money is not easily procured on loan where the security is unexceptionable. The bank, as a matter of

necessity, in a great measure discontinued its loans, and the present depressed prices of the productions of the soil has produced an alarming scarcity of money. I believe an illegal interest, or a bonus, is sometimes taken by money lenders.

5 Before the introduction of the banking system, money was easily procured at legal interest.

6 About that time well improved land was worth from 50 to 60 dollars per acre by the farm, say 100 acres together.

7 In the year 1815 and 1816, the best improved farms in my district were worth from 100 to 110 dollars per acre.

8 From 55 to 65 dollars per acre.

9 There is one bank, called the Bucks County Bank, established, I think, in 1814 or 1815. There is one bridge company who exercise the privileges of a banking company.

10 About that time, I think.

11 The fall of property, and the curtailing of bank loans, were I think, simultaneous.

12 To a variety of causes; but the numerous petitions on the subject, induce a belief, that the banks are the most prominent.

13 I am not a merchant, but I believe that class of citizens have suffered quite as much as any other.

14 There has been a fall of 50 per cent on the article of wheat within that time; other kinds of grain nearly in the same proportion.

15 Not to any very great amount.

16 My answer to the second question embraces this query.

17 A scarcity of money has been felt by all classes.

18 Not material—the notes of the Bucks county bank are, I think, at this time  $1\frac{1}{2}$  per cent below par in Philadelphia, and notes of the bridge company about the same.

19 Very little, if any.

20 No.

21 The number is considerable.

22 The low price of foreign manufactured articles has generally secured them a preference.

23 My neighbors are mostly sober and industrious, but we have not altogether escaped the prevailing extravagance of the times.

24 I think there has.

26 An inordinate disposition in the people towards speculation.

27 There have been some cases.

28 I know of none, but have heard of many.

29 I believe they are generally able to meet their paper with specie.

30 There is, in dollars and half dollars, the proportion about one to ten.

31 The Delaware Bridge Company issue paper, of one dollar their lowest denomination. They have no specific charter for banking, but their bridge charter is supposed to secure them the privilege.

32 I do. 33 I know of none.

34 Not in this state.

*Answers by a member from Huntingdon county.*

1 It is much complained of, and is not confined to any particular part.

2 Some of all descriptions are embarrassed. There is a general scarcity of money. Some personal property has been sold at forced sales at a very low rate, though not to a large amount. There are a number of suits in the courts—and they are numerous before magistrates, for the recovery of debts.

3 Nearly all.

4 Money is hard to be procured on any kind of security. I am unable to say what rate per cent. it could be had for.

5 It was not. 6 From 20 to 30 dollars.

7 From 40 to 60 dollars I believe in the year 1815.

8 I am unable to tell what it would sell for; at present

it would not bring more than it would have brought in the year 1808, or 1809.

9 There is one, Huntingdon bank. It was established I believe, in the year 1813 or 1814.

10 It did.

11 It began to fall immediately after.

12 It has been very much ascribed to the ease in procuring bank loans.

13 Numbers of them did, and their doing so, is generally ascribed to the cause which you have anticipated.

14 It has fallen at least fifty per cent.

15 I believe not.

16 There have been some iron establishments sold at sheriff's sale, which were considered low, together with some farms. 17 It has.

18 It is an inconvenience which is very much felt.

19 I know of none. 20 I do not.

21 There has been a considerable number.

22 The consumption of foreign articles has certainly increased during the time alluded to.

23 I cannot say it has.

24 Among some classes of people there has.

25 I know of no loans from the bank to any road or bridge company, in the county where I reside.

26 I believe it was an anxiety for speculation.

27 I know of none.

28 I believe they have not been numerous. There is none within my knowledge.

29 The bank of Huntingdon redeems their small notes, which are under five dollars, and no others. Their notes are at from 20 to 25 per cent discount.

30 There is scarce any specie or par paper. They are about equal. The specie is chiefly silver. Depreciated paper is chiefly all the money we have in circulation.

31 There are none, except orders drawn by the president of a turnpike road company on their treasurer, but not in the form of bank notes. The lowest denomination is three cents. They are not in general circulation at present.

32 I answer in the affirmative.

33 I know of no other contractor either for bridge or roads, in the county where I reside, that ever borrowed any money from banks for the use of such undertakings.

34 I hold a small stock in the Huntingdon bank.

*Answers, by a Scrivener of Philadelphia.*

1 The distress generally complained of is felt here.

2, 3 Exhibiting itself by want of business and employment, and embarrassment of persons of every description, except brokers, usurers, tavern keepers and office holders, and not so much owing to a want of money, as a want of its circulation. Sacrifices of property are consequently made. Multiplication of law suits, particularly before justices of the peace, add not a little to the embarrassment of many, especially those in the humble walks of life.

4 Money, it is said, may be had on mortgage at simple interest, on indubitable security; but confidence in men and estates being in a great measure lost, lenders require such security as almost to preclude a compliance by most persons who would borrow.

5 Before the introduction of the batch of banks, money was easily procured on mortgage at simple interest; indeed usury was then considered *disreputable*.

6 As to lands in the neighborhood of the city, there is a great diversity in their value: they are less affected in value than in most other places. But few are yet forced to sell, and such as have been sold, brought fair prices. If many sales were forced, no doubt the prices would be reduced. As to city property, a great depreciation is felt, but no average can be made; productive estates in good situations have experienced less of the bad effects of the times, than other property, say, unimproved lots, and estates on heavy ground rents are not in demand, and consequently when sales are forced, they are literally sacrificed.

10 Property in general rose in value or price at the introduction of the new banks. I believe was at its highest the year after the peace.

11 It fell contemporaneous with the banks calling in their loans.

12 and 13 The distress here has been ascribed, in a great degree, to the banking system. It is natural where the greatest and most immediate suffering is felt, to ascribe all the ills we endure. Although I am satisfied the banks have been the greatest curse that was ever inflicted by the legislature on the state; owing to the facilities afforded to many to obtain credit, enabling them to engage in speculations beyond their means, and the pernicious practices of usury and idleness which it has occasioned; yet I am convinced, the banks were not the exclusive cause of our suffering—they were evil seeds sown in a too fruitful soil. A general disposition to obtain wealth by means other than by frugality and manual industry, has too much prevailed; and I cannot flatter myself, that any very essential alleviation of our country's sufferings can be experienced, until wholesome laws are made and executed on the subject of usury—the banking system gradually reduced—our attention effectually directed to internal improvement—and until the people, in mass feel the necessity of returning to that old fashioned economy and industry, which our ancestors practised to their benefit.

15 I believe there is much specie hoarded by individuals. I have had several remarkable instances, which convince me, that if confidence in a limited number of banks could be restored, and they wisely conducted, the pecuniary difficulties under which we labour, if not removed, would be materially lessened.

16 There have been some sacrifices of real estate, but not so great, or so many, as might be supposed.

17 Rents being reduced, and taxes undiminished, has necessarily occasioned a diminution of income of the rich.

21 Many manufacturers having suspended their operations, a great number are consequently deprived of employ. I trust in our zeal for manufactures, we will not burden a class for whom I have a fellow feeling—the agriculturists and mechanics.

28 As to usurious transactions, I sicken at the recollection of the experience of the two last years. I had no personal knowledge of the transactions, but the mode resorted to in many instances became the subject of general conversation. Among others the loaning of six per cents and other stocks at a price higher than the quotation of the day. The influence of monied institutions, and the facility of their fixing, as it were, a market price for money, soon raised the bonus, so as to prevent prudent men resorting to these means—the more necessitous being obliged to have recourse to this mode, to replenish their coffers, their destruction was precipitated, and mortgages brought into general disrepute. Had it not been for the monied monopoly, my opinion is, that money at all times would have been readily procured at simple interest. I trust, however, that the experience we have had, will be of use, it will suggest the necessity of caution in creating monied institutions, and when created, confining them under heavy penalties, to the objects for which they ostensibly are created. I am happy to say, those subterfuges, whether proceeding from want of subjects, a returning sense of propriety, or fear of consequences, have in a great measure ceased.

32 The spirit of speculation has diminished the number of productive labourers, and consequently produced the consequences mentioned in this question. I think, however, that such of them who have nerves to stand the shock, are in a fair way of being returned to their original avocations, and I hope with lessons of lasting benefit.

34 I am not, and never have been a stockholder in any bank.

### No. III.

Official Returns made by the Prothonotaries and Sheriffs of the different counties to the committee appointed by the Senate to inquire into the extent and causes of the general distress.

| COUNTIES.                | 1809.                            |                             |                                       |                                | 1819.                            |                             |                                       |                                |                                  |
|--------------------------|----------------------------------|-----------------------------|---------------------------------------|--------------------------------|----------------------------------|-----------------------------|---------------------------------------|--------------------------------|----------------------------------|
|                          | No. of actions for debt brought. | No. of judgments confessed. | No. Sheriff's sales of real property. | No. of imprisonments for debt. | No. of actions for debt brought. | No. of judgments confessed. | No. Sheriff's sales of real property. | No. of imprisonments for debt. |                                  |
| Franklin, - - -          | 96                               | 82                          | 12                                    | *                              | 521                              | 335                         | 13                                    | 185                            | *Not known.                      |
| Northumberland, - -      | 108                              | 128                         | 14                                    |                                | 88                               | 115                         | 16                                    |                                |                                  |
| Columbia, - - -          |                                  |                             |                                       |                                | 167                              | 146                         | 37                                    |                                | Part of Northumberland [in 1809. |
| Delaware, - - -          | 19                               | 79                          | 10                                    |                                | 222                              | 227                         | 29                                    |                                |                                  |
| Bedford, - - -           | 48                               | 23                          | 5                                     |                                | 222                              | 108                         | 13                                    |                                |                                  |
| Montgomery, - - -        | 105                              | 150                         | 9                                     |                                | 368                              | 619                         | 6                                     |                                |                                  |
| Chester, - - -           | 142                              | 162                         | 10                                    | 29                             | 311                              | 598                         | 40                                    | 59                             |                                  |
| Union, - - -             |                                  |                             |                                       |                                | 130                              | 91                          | 30                                    | 44                             | Part of Northumberland [in 1809. |
| Westmoreland, - -        | 113                              | 92                          | 24                                    | 29                             | 309                              | 165                         | 21                                    | 86                             |                                  |
| Centre & Clearfield, -   | 35                               | 26                          | 1                                     |                                | 71                               | 70                          | 10                                    |                                |                                  |
| Beaver, - - -            | 135                              | 131                         | 3                                     | 13                             | 149                              | 133                         | 10                                    | 29                             |                                  |
| Berks, - - -             | 204                              | 179                         | 18                                    | 15                             | 566                              | 433                         | 52                                    | 80                             |                                  |
| Schuylkill, - - -        |                                  |                             |                                       |                                | 235                              | 154                         | 32                                    | 55                             | Part of Berks in 1809.           |
| Lycom'g, Potter & M'Kean | 62                               | 110                         | 5                                     |                                | 80                               | 353                         | 16                                    |                                |                                  |
| York, - - -              | 105                              | 133                         | 10                                    | 30                             | 515                              | 266                         | 25                                    | 130                            |                                  |
| Dauphin, - - -           | 230                              | 79                          | 10                                    |                                | 610                              | 229                         | 36                                    |                                |                                  |
| Lebanon, - - -           |                                  |                             |                                       |                                | 101                              | 166                         | 17                                    | 34                             | Part of Dauphin in 1809.         |
| Mifflin, - - -           | 57                               | 34                          | 14                                    | 8                              | 229                              | 172                         | 13                                    | 48                             |                                  |
| Bucks, - - -             | 82                               | 195                         | 15                                    |                                | 154                              | 563                         | 33                                    |                                |                                  |
| Cumberland, - - -        | 134                              | 62                          | 30                                    |                                | 354                              | 348                         | 24                                    |                                |                                  |
| Wayne, - - -             | 41                               | 13                          | 4                                     | 4                              | 38                               | 31                          | 12                                    | 6                              |                                  |
| Pike, - - -              |                                  |                             |                                       |                                | 129                              | 35                          | 16                                    |                                | Part of Wayne in 1809.           |
| Fayette, - - -           | 187                              | 73                          | 19                                    | 106                            | 587                              | 183                         | 23                                    | 66                             |                                  |
| Indiana and Jefferson,   | 81                               | 51                          | 4                                     |                                | 152                              | 70                          | 5                                     |                                | [1809                            |
| Lehigh, - - -            |                                  |                             |                                       |                                | 304                              | 465                         | 39                                    | 64                             | Part of Northampton in           |

| COUNTIES.       | 1809. |      |    |      | 1819. |       |    |      |                             |
|-----------------|-------|------|----|------|-------|-------|----|------|-----------------------------|
| Luzerne, - - -  | 41    | 41   | 19 | *    | 146   | 250   | 24 | 19   | Part of Luzerne in 1809.    |
| Armstrong, - -  | 6     | 23   | 7  |      | 17    | 39    | 19 |      |                             |
| Susquehanna, -  |       |      |    |      | 87    | 88    | 10 | 18   |                             |
| Mercer, - - -   | 26    | 88   | 13 | *    | 32    | 80    | 15 |      | Attached to Venango in 1809 |
| Adams, - - -    | 86    | 62   | 3  |      | 380   | 273   | 14 | 108  |                             |
| Venango, - - -  | 94    | 60   | 18 | 7    | 98    | 43    | 43 | 12   |                             |
| Warren, - - -   |       |      |    |      | 20    | 4     |    |      | Part of Luzerne in 1809.    |
| Butler, - - -   | 39    | 35   | 16 | 14   | 38    | 50    | 7  | 14   |                             |
| Washington, -   | 202   | 155  | 11 |      | 377   | 565   | 27 |      |                             |
| Cambria, - - -  | 5     | 2    |    | *    | 38    | 6     | 3  | 11   | *Not known.                 |
| Philadelphia, - | 2173  | 443  | 53 | 1307 | 3516  | 1158  | 81 | 1808 |                             |
| Lancaster, - -  | 206   | 224  | 18 | *    | 746   | 851   | 71 | 221  |                             |
| Northampton, -  | 240   | 76   | 18 |      | 762   | 424   | 39 |      | Part of Lycom'g in 1809     |
| Alleghany, - -  | 541   | 93   |    | 202  | 1458  | 297   |    | 286  |                             |
| Bradford, - - - |       |      |    |      |       |       |    | 34   |                             |
| Somerset, - - - |       |      |    | *    |       |       |    | 53   | Part of Lycom'g in 1809     |
| Tioga, - - -    |       |      |    |      | 41    |       | 4  | 19   |                             |
| Greene, - - -   | 71    | 52   | 8  | 12   | 117   | 75    | 17 | 36   |                             |
| Huntingdon, - - |       |      |    |      |       |       |    |      |                             |
| Erie, - - -     | 33    | 40   | 4  |      | 52    | 48    | 12 |      |                             |
| Crawford, - - - |       |      |    |      |       |       |    |      |                             |
|                 | 5747  | 3196 |    |      | 14537 | 10326 |    |      |                             |

## NOTES.

Letters were addressed by the committee to all the Prothonotaries, Recorders and Sheriffs in the state, but answers have not been received from all. The information received from the recorders, was not considered as having any immediate bearing upon the objects of the inquiry.

The returns of the sheriff's sales made by the prothonotaries is admitted by most of them to be very imperfect, inasmuch as no account had been rendered by the Sheriffs generally, for the latter part of the year 1819.

The above estimates excepting in three small counties, do not comprise the transcripts made from the dockets of justices of the peace, the relative number of which in the years 1809 and 1819, may be conjectured from the following statement, which includes all the returns that the committee have received upon this subject.

|                  | 1809. | 1819. |
|------------------|-------|-------|
| Franklin county, | 36    | 258   |
| Bedford,         | 35    | 98    |
| Westmoreland,    | 106   | 218   |
| Dauphin,         | 35    | 107   |
| Fayette,         | 89    | 129   |
| Allegheny,       | 329   | 204   |
|                  | 630   | 1014  |

In Mifflin county there were issued in 1809, 163 executions—in 1819, 528.

## No. VIII.

List of unlawful banks and incorporations, issuing orders or notes in the manner or nature of bank notes, as taken from the official publication of the State Treasurer, dated January 20, 1820.

Stephen Girard's Bank.  
 Connellsville Navigation Company.  
 Office of Discount and Deposit of the State Bank at Camden, New Jersey.  
 Youghagany Bank of Perryopolis.  
 George Creek Trading Company.  
 The Columbia Bridge Company.  
 The Greensburg and Pittsburg Turnpike Road Co.  
 The Greensburg and Stoystown do do  
 The Somerset and Mount Pleasant do do  
 The Pittsburg & New Alexandria do do  
 The New Alexandria & Conemaugh do do  
 The Chambersburg and Bedford do do  
 The Bedford and Stoystown do do  
 The Harrisburg, Carlisle & Chambersburg do  
 (To which may be added)  
 The New Hope Delaware Bridge Company.

## No. VII.

Table shewing the current value at Philadelphia of specie, and of the country banks in Pennsylvania, payable in the notes of the Philadelphia banks, during the following years, as taken from Grotjan's price current. The rate given on the notes is the *discount*, the rate given of the specie is the *advance*, which shews the depreciation of the Philadelphia notes.

|                       | 1815  | 1816  | 1817   | 1818  | 1819            | 1820             |
|-----------------------|-------|-------|--------|-------|-----------------|------------------|
|                       | May 1 | May 6 | Nov. 4 | May 5 | Nov. 3          | Jan. 31          |
| Bank of Gettysburg,   | 10    | 9     | 6      | 3     | 4               | 3                |
| Harrisburg Bank,      | p     | pr    | 6      | 5     | 4               | 1 $\frac{1}{2}$  |
| Carlisle Bank,        | 10    | 9     | 4      | 5     | 2 $\frac{1}{2}$ | 3                |
| B'k of Chambersb'g,   | 10    | 9     | 4      | 3     | 2 $\frac{1}{2}$ | 3                |
| Westmoreland Bank,    | 10    | 9     | 6      | 5     | 2 $\frac{1}{2}$ | 12 $\frac{1}{2}$ |
| Lancast'r Trading Co. | 10    | 9     | 2      | 5     | 2 $\frac{1}{2}$ | 2                |
| Marietta,             | 10    | 9     | 6      | 5     | 4               | 33               |
| Centre Bank,          | 10    | 9     | 6      | 5     | 4               | 25               |
| Farmers' Bk Reading   | 10    | 9     | 6      | 5     | 1 $\frac{1}{2}$ | 8                |
| Allegheny Bank,       | 10    | 9     | 6      | 5     | 4               | 50               |
| Germantown,           | 10    | 9     | 6      | 5     | 4               | par              |
| York,                 | 9     | 10    | 6      | 3     | 2 $\frac{1}{2}$ | 3                |
| Farmers' Bk Lancast'r | 10    | 9     | 6      | 5     | 4               | par              |
| Swatara,              | 10    | 9     | 6      | 3     | 2 $\frac{1}{2}$ | 3                |
| Easton Bank,          | p     | pr    | pr     | 5     | 4               | par              |
| Pa. Ag. & Man. Bank,  | 10    | 9     | 6      | 3     | 2 $\frac{1}{2}$ | 40               |
| Bank of Washington,   | 10    | 9     | 6      | 5     | 4               | 45               |
| Northampton Bank,     | 10    | 9     | pr     | 5     | 4               | 2 $\frac{1}{2}$  |
| Juniata Bank,         | 10    | 9     | 6      | 5     | 4               | 40               |
| Delaware Bank,        | pr    | pr    | 6      | 5     | 4               | par              |
| Chester Co. Bank,     | pr    | pr    | 6      | 5     | 4               | par              |
| Bank of Beaver,       | 10    | 9     | 6      | 5     | 4               | 50               |
| Bank of Pittsburg,    | 10    | 9     | 6      | 5     | 3               | 4                |
| Huntingdon Bank,      | 10    | 9     | 6      | 5     | 4               | 25               |
| Monongahela,          | 10    | 9     | 6      | 5     | 4               | 12 $\frac{1}{2}$ |
| North Western Bank    | 10    | 9     | 6      | 5     | 4               | 35               |
| Union Bank,           | 10    | 9     | 6      | 5     | 4               | 50               |
| Northumb. Un. & Col.  | 10    | 9     | 6      | 5     | 4               | 20               |
| Bucks county Bank,    | 10    | 9     | 6      | 5     | 4               | par              |
| Fr & Mec Bk Pittsburg | 10    | 9     | 6      | 3     | 2 $\frac{1}{2}$ | 40               |
| do Greencastle        | 10    | 9     | 6      | 5     | 2 $\frac{1}{2}$ | 35               |
| Montgomery Bank,      | pr    | pr    | pr     | 5     | 4               | par              |
| Silver Lake Bank,     | 10    | 9     | 6      | 2     | 2 $\frac{1}{2}$ | 40               |
| Specie (American)     | 5     | 17    | 13     | 7     |                 |                  |

NOTE—No regular quotations were made in Grotjan's price current, of the market price of bank notes, prior to 1816.

(To be continued.)

## LAW CASE.

Liability of Constables in neglecting to return executions within the time prescribed by Law: Campbell for plaintiff, Perkins for defendant.

JOHN AMEY, } Common Pleas, June term, 1828.  
vs. } No. 165.  
ISAAC P. KENNEDY, }

Opinion of the Court delivered by KING, President.

The question involved in this case is whether a Constable who does not make return of an execution in the manner, and within the time prescribed by the 12th section of the act of March, 1810, is answerable to the plaintiff for the full amount of the debt and costs; or whether it is competent for him on the return of a summons against him as is prescribed by law, to show that he could not find goods of the defendant to the amount of the judgment and costs, in discharge of his liability under the execution.

The plaintiff contends that if a constable does not make return of his execution to the justice on or before the return day thereof, he is absolutely fixed for the debt and costs; while the defendant's argument maintains that although no return is made of the execution within the period designated by law, yet that the constable is responsible to the plaintiff in the execution for no more than he has actually received, or could have received by due diligence from the defendant. The right of the plaintiff in this action to recover depends of course exclusively on the legal correctness of the position he has assumed.

The point is not without difficulty, but the judgment of the court is with the plaintiff. The 12th section of the act of March, 1810, *Purd. 455*, directs "that on the delivery of an execution to a constable an account shall be stated in the docket of the justice, and also on the back of the execution of the debt, interest and costs; from which the constable shall not be discharged, but by producing to the justice, "on or before the return day of the execution," the receipt of the plaintiff or such other return as may be sufficient in law." In case of a false return, or in case he does not produce the plaintiff's receipt on the return day, or make such other return as may be deemed sufficient by the justice, the latter is directed to issue a summons against him, commanding him to appear on a day mentioned in the summons, to show cause why an execution should not issue against him for the amount of the execution with cost.

The first branch of this section is clear: it affirmatively and positively declares that the constable shall not be discharged from his execution, unless on or before the return day, he either shews the plaintiff to be satisfied or makes some other adequate legal return. The letter of the law as plain as language can speak, makes the liability of the officer absolute if he neither shews the plaintiff to be satisfied, nor makes other legal return, "on or before the return day of the execution." It is true that the concluding part of the section which points out the proceedings which are to take place when a constable neglects or refuses to return his execution, does declare the constable to be liable for the debt and costs, if "he does not shew sufficient cause, why execution should not issue against him;" but these general expressions were not intended to control the positive enactment of the preceding part of the section. That construction is the most admissible, which seeks to reconcile every part of a statute, and this can be effected in the instance before us, by simply permitting the Legislature to speak for itself, and by applying the expressions of the law to the direct subject for which it is provided. We can give full efficacy to the latter clause of this section, without holding that the intention of the lawgivers in adopting it was to fritter away the preceding part of the law. We can readily suppose cases in which although no return has been made by a constable to an execution, it would be improper for a justice to return judgment against him for debt and costs. The

defence has endeavoured to establish that Kennedy, the defendant, did not return his execution in consequence of the request of the plaintiff, and in doing so has exhibited a case, which if established, is "sufficient cause" for not rendering judgment against a constable, who postponed returning his execution in consequence of such a request. Many more may be imagined; and it is to such, that part of the 12th section refers, which supposes that the constable may shew "sufficient cause why execution should not issue against him" for default in making legal return. Where, however, the case occurs of a total neglect or refusal on the part of a constable, to make return of his execution, to which the plaintiff has in no respect contributed; then and in that case, it is my opinion that he cannot either before the justice or the return of the summons issued against him for default in returning his execution according to law, or before this court on an appeal from the decision of the justice, be permitted to shew in discharge of his liability, that he has in point of fact received only part of his execution, or that by no diligence he could have obtained satisfaction for it, from the defendant. In such a case, that is, the base of a naked refusal or neglect to make any return to the execution, "on or before the return day," the law fixes the extent of liability, viz: the amount of the execution with the costs.

This doctrine may seem to sound harsh, but in point of fact it is not more so, than many other rules which public policy has rendered expedient to apply to sheriffs and other executive officers of the same class. It is severe that when the sheriff bona fide takes a replevin bond, he should be responsible not only for the original sufficiency of the sureties, but that he should continue so liable: it is severe that he should be compelled to accept bail in a common *capias* case, and that the acceptance of his bond in the event of non-appearance of the defendant should depend on the will and pleasure of the plaintiff, let his conduct in taking the security be ever so prudent and judicious: yet from motives of public policy and considerations of public security, the law sternly refuses to admit in such cases any explanation which would tend to limit his liability.

In a case like the present, the constable has but to follow the plain and prominent land marks of the law, and he is secure. If he does not see fit to do so and returns his execution in time, it is much better that he should suffer the penalty of his remissness than that the public should be left in the power of these officers, by holding them no further responsible in cases of default, than in those on which they strictly and literally execute the duties imposed on them in the manner prescribed by law. If we were to hold with the defendant that a constable who does not return his execution in time, is responsible for nothing more than he has or might have recovered from the defendant; the plaintiff's right of issuing a prompt alias execution, depends on the pleasure of the constable. The delay of a single day, we can readily suppose, might prevent the former from realizing his debt. A rule of this kind might lead to arrangements and compromises of the most deleterious consequences to the community. On the whole, I am of opinion on the point proposed, with the plaintiff. — *U.S. Gaz.*

## LEHIGH CANAL.

To his Excellency John Andrew Shulze, Governor of the state of Pennsylvania.

The President and Managers of the Lehigh Coal and Navigation Company, hereby give notice to your excellency, that, agreeably to the provisions of the Acts of the General Assembly on the 20th day of March, 1818, of the 13th day of February, 1822, they have constructed and completed 52 locks or more in the lower grand section of the River Lehigh. They therefore pray your excellency to appoint three commissioners under the 11th section of the act of 20th March, 1818, to visit the said locks, and if they report that the said locks are

completed agreeably to the 1st and 18th sections of the said act to issue your license to authorise the said company to collect and receive the tolls specified in said acts of March 1818, and February 1822.

By order of the Board of Managers,  
JOS. WATSON, President.

Philadel. June 24, 1829.

[On the above application, the Governor, Mr. Shulze, issued a commission to inspect and report to him; which was accordingly done, as appears by the annexed copies of documents.]

To his Excellency John Andrew Shulze, Governor of Pennsylvania.

The undersigned in execution of the annexed commission, beg leave to report—

That they have viewed and examined the improvements constructed by the Lehigh Coal and Navigation Company, on the river Lehigh from the village of Mauch Chunk to the borough of Easton. The lift locks are 47 in number, including two guard locks, which are also lift locks.

The dams are eight in number and communicate with the canal by as many guard locks, two of which are as above stated also lift locks.

The guard and lift locks are all more than 18 feet wide and more than 80 feet in length in the clear. They are all, with the exception of guard lock No. 1 at Mauch Chunk, and the lift locks No. 1, 2, 3 and 4, also at and near that place, of the usual description of locks used in Canals as to the mode of opening and shutting the gates. The small gates are iron valves. The guard locks No. 1, and the lift locks No. 1, 2, 3 and 4, are of the description called stream locks, and as we believe are peculiar to the work on the Lehigh.

We have found all the locks and dams built of good materials, and constructed in a workmanlike manner, and the whole of the said river Lehigh, within the distance aforesaid, so far improved, as to form an uninterrupted canal and slack water navigation, both for ascending and descending from the village of Mauch Chunk, to the borough of Easton, and that the requisitions of the Act of Assembly referred to in the Commission, have been fully complied with by the said company, within that distance.

The Table hereto annexed exhibits the lift of each lock, as furnished to us by the Engineer of the company and which on examination, we believe to be correct; although it was impracticable for us without much difficulty, to make an actual and precise admeasurement of the respective lifts. In that table we have also stated the length of each lock, and the length in the clear.—By the length we would be understood as meaning the length of the chamber, and by the length in the clear, the length clear of the swing of the gates in opening and closing.

THOS. McKEEN, Seal.  
J. M. PORTER, Seal.  
JOHN RICE, Seal.

|     | No. of<br>Locks. | No. of<br>feet lift. | Width. | Length of<br>chamber. | Length<br>in the<br>clear. |
|-----|------------------|----------------------|--------|-----------------------|----------------------------|
| New | 1                | 7                    | 30     | 130                   |                            |
|     | 2                | 6                    | 30     | 130                   |                            |
|     | 3                | 6                    | 30     | 130                   |                            |
|     | 4                | 6                    | 30     | 130                   |                            |
|     | 5                | 8                    | 22     | 100                   | 85                         |
|     | 6                | 8                    | 22     | 100                   | 85                         |
|     | 7                | 8                    | 22     | 100                   | 85                         |
|     | 8                | 8                    | 22     | 100                   | 85                         |
|     | 9                | 8                    | 22     | 100                   | 85                         |
|     | 10               | 8                    | 22     | 100                   | 85                         |
|     | 11               | 8                    | 22     | 100                   | 85                         |

| No. of<br>Locks. | No. of<br>feet lift. | Width. | Length<br>of<br>chamber. | Length<br>in<br>the<br>clear. |
|------------------|----------------------|--------|--------------------------|-------------------------------|
| 12               | 6                    | 22     | 100                      | 85                            |
| 13               | 6                    | 22     | 100                      | 85                            |
| 14               | 8                    | 22     | 100                      | 85                            |
| 15               | 8                    | 22     | 100                      | 85                            |
| 16               | 8                    | 22     | 100                      | 85                            |
| 17               | 7                    | 22     | 100                      | 85                            |
| 18               | 7                    | 22     | 100                      | 85                            |
| 19               | 7                    | 22     | 100                      | 85                            |
| 20               | 7                    | 22     | 100                      | 85                            |
| 21               | 8½                   | 22     | 100                      | 85                            |
| 22               | 8½                   | 22     | 100                      | 85                            |
| 24               | 8                    | 22     | 100                      | 85                            |
| 25               | 7                    | 22     | 100                      | 85                            |
| 26               | 7                    | 22     | 100                      | 85                            |
| 27               | 7                    | 22     | 100                      | 85                            |
| 28               | 9                    | 22     | 100                      | 85                            |
| 30               | 8½                   | 22     | 100                      | 85                            |
| 31               | 8½                   | 22     | 102                      | 85                            |
| 32               | 8                    | 22     | 100                      | 85                            |
| 33               | 8                    | 22     | 100                      | 85                            |
| 34               | 7                    | 22     | 100                      | 85                            |
| 35               | 8                    | 22     | 100                      | 85                            |
| 36               | 8                    | 22     | 100                      | 85                            |
| 37               | 7                    | 22     | 100                      | 85                            |
| 38               | 6½                   | 22     | 100                      | 85                            |
| 39               | 6½                   | 22     | 100                      | 85                            |
| 40               | 6                    | 22     | 100                      | 85                            |
| 41               | 8                    | 22     | 100                      | 85                            |
| 42               | 8                    | 22     | 100                      | 85                            |
| 43               | 8                    | 22     | 100                      | 85                            |
| 44               | 8                    | 22     | 100                      | 85                            |
| 45               | 7                    | 22     | 100                      | 85                            |
| 46               | 8.20                 | 22     | 100                      | 85                            |
| 47               | 9                    | 22     | 100                      | 85                            |
| 48               | 9                    | 22     | 100                      | 85                            |
| 49               | 13.67                | 22     | 100                      | 85                            |

Whole Lockage 360.87 feet—Distance 46½ miles.

In addition to the above, there are six Guard Locks, one at dam No. 1, one at dam No. 3, one at dam No. 4, one at dam No. 6, one at dam No. 7, and one at dam No. 8.

Note—Locks No. 14 and 31, are Guard Locks at dams No. 2 and 5.

The following explanatory Letter accompanied the official Report.

MAUCH CHUNK, July 3d, 1829.

Honored Sir,—We have herewith enclosed to you our report on the work of the Lehigh Coal and Navigation Company, which we have found to be constructed agreeably to the requisitions of the laws relating to that subject; and as you have in the commission, appointing us to the duty, which we have performed, desired us to accompany our report, with such observations as might serve to explain it, we have taken the liberty in this letter to go into some detail as to the improvements examined by us.

We left Easton in the packet boat *Swan*, on the morning of the 1st of July. Having examined the three locks near the out-let of the canal, into the river opposite Easton, we proceeded in the boat along the canal which is there on the south side of the river, to the dam, No. 8, a distance of about three miles. We crossed the Pool created by the Dam, to the northern side of the river, and proceeded up the Pool, its length about two miles and a quarter, where we entered into the canal, by lock No. 46. We proceeded along the canal, thence to the Dam No. 7, at Allentown, having in our way passed and examined Locks 46, 45, 44, 43, 42, 41 and 40.—Proceeding up the pool created by this dam a distance of about 1½ miles, we entered the canal by lock No. 39. We pro-

ceeded along the canal thence to the dam at Hartmansford, having in our way passed and examined the locks down to No. 36. Proceeding up the pool created by this dam a distance of about 1 mile, we entered the canal by lock No. 35. We proceeded along the canal thence to the dam No. 5, at the Slates, which we entered by lock No. 31, a guard and lift lock, having in our way passed and examined the locks down to that number. Proceeding up the pool created by this dam a distance of about a mile and  $\frac{1}{2}$ , we entered the canal by lock No. 30. We proceeded along the canal thence to the dam No. 4, at Kuntz'sford, having in our way passed and examined the locks down to No. 28. Proceeding up the pool created by this dam a distance of about  $2\frac{1}{2}$  miles, we entered the canal by lock No. 27. We proceeded along the canal thence to the lock No. 3, near the Gap Bridge, having in our way passed and examined the locks down to No. 21. Proceeding up the pool created by this dam a distance of nearly a mile, which carried us through the Blue mountain, we entered the canal by lock No. 20. This terminated our first day's labor.

On the morning of the 2d of July, we again proceeded and passed along the canal to dam No. 2, which we entered by guard and lift lock No. 14, having in our way passed and examined the locks down to that number. Proceeding up the pool created by this dam a distance of about  $\frac{1}{2}$  of a mile, we entered the canal by lock No. 13, a short distance above the junction of the Lehigh and Hoco Poco. We proceeded along the canal, thence to dam No. 1, at Mauch Chunk passing in our way and examining the locks down to and including No. 1.

We found the canal well constructed throughout.—There was some water weeping through the banks on section No. 88, near Easton, and on section No. 78 & 79 above Jenks' mill, where the bank was composed of gravel, but not such as to amount to any thing like a breach. Indeed it surprises us to find a new canal 45 feet in width at bottom—60 at top, calculated for 5 feet depth of water, stand as well as this has done. Wherever there is any danger to be apprehended to the banks from the rise of the water in the river the bank of the canal is protected by good slope walls. The locks are composed of good stone laid in Hydraulic cement. The insides are cased with plank, and the space between the covering and the wall grouted with the same kind of cement. Notwithstanding the size of the locks, every thing being new, and the gate keepers inexperienced the average time of passing the locks was about 5 minutes.

The dams as stated in our report are 8 in number.—They are built of timber and stone in a very substantial manner, with stone abutments. They are of the height following, counting from surface. No. 1, 5 feet, No. 3, 8 feet, No. 4, 16 feet, No. 5, 12 feet, No. 6, 6 feet, No. 7,  $7\frac{1}{2}$  feet No. 8, 10 feet.

The whole line of canal and pool is intended for 4 feet water and it has all had nearly that quantity in, except the upper level from dam No. 1; there it had not more than  $2\frac{1}{2}$  feet. It is intended to raise the dam No. 1, to 8 feet, which will give that level the depth of 5 feet water also. There is no crossing the river at the pools except at dam No. 8: from thence to Mauch Chunk the line of canal and tow-path is on the N. E. side of the river.

The towing paths along the pools are all complete excepting a short distance created by the dam No. 6, on which there were about 50 men at work, and which will be completed in a few days. The whole line of tow path is protected from freshets, by a substantial slope wall.

The line of canal crosses the Manockesey at Bethlehem on a stone Aqueduct of 3 arches. The Hocquendocque on an aqueduct with stone abutments and piers and wooden superstructure, having four arches or water ways under it. Bertach's creek by a similar aqueduct

with two arches or water ways. Aquanshicola creek on a similar aqueduct with four arches or water ways, and the Hoco Poco is passed by a tow path bridge. Besides these there are 22 culverts passing under the canal, some of them double culverts with 14 feet arches. The stone work of the abutments of the dams and of the culverts and aqueducts, is laid in hydraulic cement.

Care has been taken to place the proper number of waste weirs on the canal, and where roads cross the line good substantial bridges have been or are being built, and we noticed 2 stone Toll houses, erected near 2 of the locks. They were 18 by 27 feet, 2 stories high, which appeared to be built as well with a view to permanence as to the comfort of those who are to occupy them.

On the whole the works appear to have been constructed with a view to service and durability, and the Corporation in our opinion is entitled to much commendation for the promptness and energy displayed in the prosecution and completion of this great public improvement.

[SIGNED.]

THOS. McKEEN,  
J. M. PORTER,  
JNO. RICE.

To his Excellency, Gov. SHULZE.

[On the receipt of the above, and approval of the same, the Governor forthwith granted to the Company the necessary licence to take toll.

#### AMERICAN SILK.—No. 10.

In the eighth number of these essays, I have endeavored to show how much the manufacturing nations of Europe stand in need of the article of raw silk, which they are glad to procure, even of an inferior quality, from the most remote regions of the globe, while America could supply them with the best and finest, to an unbounded extent. I have pointed out two great markets (England and France) open to American industry and inviting it to their shores. I am now going to display the advantage to be derived from this branch of trade, when once it shall have been fairly introduced into this country.

The celebrated Count Dandolo, by whose labors the culture of silk has been so much improved and extended throughout Europe, does not hesitate to affirm that "the value of silk in Italy considered as an article of exportation to foreign countries, is twice equal to that of all the other products of that country taken together; and that there is no production of the earth in the markets of Europe (in which of course he includes sugar, coffee, cotton, and all the rich productions of both hemispheres,) which, compared to its natural value or prime cost, offers to the producer a greater neat profit than the article of silk." (a)

If, then, in Italy, the land of corn, wine and oil, the profits on exported raw silk, (for the author does not here speak of it in its manufactured state) be equal to double the amount of all the other productions of the Italian soil taken together, it is evident that the same, if not greater advantages must result to this country, particularly to the northern and middle states, whose productions are not so rich as those of the south of Europe. And as to the southern states, their tobacco, cotton and rice are no longer the sources of profit, which they once were, nor is there a prospect of their returning to their pristine value.

In another point of view, the article of silk, as an object of exportation, is of the utmost importance to the United States. Nothing will tend so much to prevent pauperism and its attendant mendicency. "The labor in preparing the silk," says Mr. Wilson—already mentioned, No. 8, in his examination before the House of Commons, "affords much more employment to the country

(a) L'art d'élever les vers à soie &c. par le comte Dandolo; traduit de l'Italien. Par F. Philibert Fontanilles; 2d edition, Lyons, 1825, p. 458.



producing it, than any other raw material." (b) I need not dilate upon this subject.

But setting aside theories and opinions, however respectable, I shall confine myself to the more convincing logic of facts, on which alone I rest the proof of my assertions. In France, the current price of raw silk, whether made at home or imported from foreign countries, is from 20 to 40 francs a pound, according to its different qualities and degrees of fineness, of which there are a great number.—Singles in general bear the highest price; organzine the next, and tram silk is of the least value. These three qualities have also their subdivisions in respect to fineness. I do not speak here of the inferior kinds of raw silk, such as filoselle and the various silks made of imperfect cocoons. In England, the price of the three first qualities, is from 18s. to 35s. sterling. (c) I should suppose the assorted qualities of fine American silk, well prepared, would bring on an average in the European markets, seven dollars a pound, or at least something between six and seven dollars. But, admitting that in the beginning, and before their reputation were well established, these silks should produce only six, or even five dollars a pound, there would still be a great profit to be made by the American seller.

I am not sufficiently acquainted with the prices of things in this country, to present the reader with a statement in dollars and cents of the cost of raw silk to the time when it is ready for sale, in order to enable him to deduce from it the clear profits to be made. Nor is it necessary that I should do so; it is enough, I think, for me to offer general data, from which any one may be enabled to draw his inferences and make his calculations as he shall think proper. It is at least the fairest and least objectionable mode of proceeding in this matter.

Every one will easily understand that the profits on raw silk will in a certain degree be proportioned to the extent of the means of those engaged in its preparation, and of their establishment for that purpose. Without speaking of the advantage of ready money purchases, it must be obvious that various expenditures, such as the ground, the buildings, fuel for boiling the water, which must be kept constantly hot, and other incidental expenses, will be nearly the same whether the business is conducted on a small or a large scale. In the latter case the machinery may even be moved by water power, or by steam, which will add greatly to the economy of the undertaking. But the time is not arrived for such vast establishments. Before that takes place, a great number of women must have been instructed in an art, which, whatever may be thought of it, is not learned by intuition, nor without a great deal of habit and practice.

It is now three or four years since the Italian reel was imported by a patriotic gentleman into this city. There it still lies, like a fine musical instrument, waiting for the hands of the master. Nobody has yet succeeded in making merchantable raw silk, either by its means or by that of similar machines which are scattered through this country. Many attempts have been made; none of which have been successful. I have seen various samples of those fairest exertions of American ingenuity. A few days ago I was shown by Mr. Hamilton, of the Franklin Institute, a specimen of supposed raw silk

(b) Manual published under the authority of Congress, 1825, page 358.

(c) Ibid. John de Fere's examination.

(d) Not having wound off the silk from the cocoons mentioned in my 6th number brought to this city by General Cocke, of Virginia, and spun by worms fed on the leaves of the wild American mulberry. I could not so well judge of its fineness; therefore, from what Dr. Dudley said of the superior strength of the sewing silk made out of it, I supposed that it might proceed from the coarseness of the threads; but from this specimen, if it be really what it is represented to be, I find that the silk of such cocoons (exclusive of the floss) is equal in fineness to any other.

made by some enterprising ladies in Kentucky from cocoons, the worms of which had been exclusively fed on the wild native mulberry; the silk, indeed, was beautiful; I never have seen any to surpass it; (d) but as *merchandize*, it could not procure a single cent. I have seen some made at Washington, on which I have pronounced the same judgment. I do not hesitate to affirm that all similar attempts, without the necessary instruction and the skill, to be acquired by habit and patience, will forever prove vain. I need only say, to give an idea of what it is, that the operations of the female silk winders are chiefly guided by the sense of feeling, their hands and fingers acquiring by practice a nice sensibility of touch, without which it is impossible to wind silk to the degree of perfection that is required. Add to this the great degree of skill and dexterity that is necessary for the management of the cocoons and for producing the various qualities of silk, according to their numerous degrees of fineness, which may be compared to the different numbers by which the various qualities of cotton threads used for sewing are designated. All these things must have been learned by a sufficient number of women, before the business can be undertaken on an extensive scale.

The extent of a filature is calculated from the number of reels that are employed, from ten to fifteen hundred or more. To each reel there must be a woman to wind the silk, and a little girl to turn the crank. There must be two men alternately to feed and watch the fire. The cocoons, which I suppose may be purchased of a good quality for 25 cents a pound, and eight pounds of which will yield one pound of silk; the fuel, a cauldron, pipes, basins, and necessary apparatus to convey the water to the reekers, and the wages of the people are the internal expenses of the establishment. A good reeler can turn out three pounds of silk in one day. As to the ground and buildings, a piece of land of two or three acres, well supplied with water, that it may be found constantly at hand; a dwelling house for the person at the head of the establishment and his family; a shed proportioned to the number of reels to be employed, with a store-house adjoining for the cocoons, are all that will be required, besides a stable, with a good saddle horse, or a one horse carriage, that the director of the works may be enabled to go about the country in search of cocoons, and from time to time to inspect the nurseries of the surrounding farmers, and give them proper advice. By this means, the necessary notions for the proper management of silk worms, will soon spread through the country.

When the annual amount of these expenses is properly calculated and compared with the European prices of raw silk which I have mentioned above, it will be found that a great and an increasing profit is to be made by the purchase of cocoons, and the preparation of raw silk. Little or no profits are to be expected for the first year. I suppose that during that time, with a great deal of labour, forty women may be instructed in handling silk, so as to become tolerable reekers. The winter might be thus usefully employed. These, afterwards, would instruct others, and their number would rapidly increase.—After a few years the profits will be immense; and for a long time the demand in Europe will keep pace with the supply.—There is little doubt that the raw silks of China and Bengal will be abandoned, and entirely superseded by those of this country.

J. D'HOMERGUE.

September, 2d.

Yesterday morning a friend residing near this city, cut, for our use and gratification, a branch from a flourishing tree, which contained a very considerable number of ripe apples, and a large quantity of new blossoms, full of promise of a second crop.—U. S. Gazette.

The quantity of rain which fell during August was 4.61 inches.

Pennsylvania Hospital, September 1st, 1829.

## METEOROLOGICAL REGISTER,

Taken at the State Capitol, Harrisburg, by WILLIAM  
MUSEBAVE, Librarian.

AUGUST—1829.

| Thermometer.                                       | Barometer.     | Days of the Month.        | Wind.  |
|--|----------------|---------------------------|--------|
| Max 8th 79½°                                       | Max 21st 29,82 | 1, 25, 26, 27             | 4 ds N |
| Min 26th 64½°                                      | Min 18th 29,39 | 16, 17, 28                | 3 NE   |
| Diff ex 15°  | Diff ex ,42½   | 29, 30, 31                | 3 E    |
| Mean ex 72½  | Mean ex 29,60½ | 3, 4, 6, 7, 8 [24, 7 5 S  |        |
|  |                | 2, 5, 9, 13, 14, 23, 7 SW |        |
|  |                | 10, 11, 12, 15, 18, 9 NW  |        |
|  |                | [19, 20, 21]              |        |
| Mean temperature from<br>three daily observations. |                |                           |        |
| Days of the Month.                                 |                | Atmosphere.               |        |
| 7, 10, 11; 12, 13, 14, 21, 24, 25, 30              |                | 10 days cloudy            |        |
| 2, 5, 8, 15, 16, 19, 20, 22, 23, 26                |                | 10 part clear, pt cly     |        |
| 28, 31   |                | 2 cloudy, no rain         |        |
| 1, 4, 17, 27                                       |                | 4 pt cly, pt show'ry      |        |
| 3, 9   |                | 2 p cl, p cly, p thun     |        |
| 6  |                | 1 hy rain, th& light      |        |
| 18   |                | 1 part rain, pt clear     |        |
| 29   |                | 1 hy rain 1 pm to s r     |        |

On the morning of the 30th, Thermometer at 51° the lowest; on the 8th at noon thermometer at 90° the highest in the month; range 39°. Difference between the mornings and noon from 4° to 20° and upwards. On the 18th Barometer at 29,39 the lowest; on the 21st Barometer at 29,82 the highest in the month; range ,42½. The wind has been 6 days East of the Meridian, 16 West of it, 4 North, and 5 South. This month has been 4° mean temperature warmer than last July, and 3° colder than August, 1828. There has been either showers, thundergusts or steady rain, 9 days of this month. The heaviest rains were on the 3d, 6th, 9th, 17th, and 29th; and what is remarkable the heaviest rains fell mostly in the night time. On 15 days of this month, the temperature at noon was above summerheat; range between 76 and 90 degrees.

## Remarks continued.

From long observation, both on sea and land, over every part of the habitable globe, the extremes of heat and cold never continue longer than the third day, without a relaxation, though they may return with equal rigour after an interval of 72 hours. When the sun sets under a cloud, to use a common phrase, or, properly when the western horizon is cloudy the next day will not be clear, or, we may expect falling weather in two or three days. From this it plainly appears that the atmosphere, or, at least the clouds and vapours suspended in it, do not keep pace with the diurnal motion of the earth, and that it requires the above space of time to bring the clouds over that part of the visible horizon where the observation was made, and that the motion of the earth is as 3 to 1, of the clouds. It is probable this suspension of the clouds may be the effect of Electric attraction, to accumulate the vapours for the rain that follows. In warm weather, when there has been a considerable discharge of electric fluid, or, a great deal of lightning perceived in any particular place, those who live to the northward within the range of observation, say there will be more hot weather, and do actually experience a continuation and increase of heat for some time, while those who live southward, say, the lightning northward will cool the air, which also takes place. Here appears to be two contrary effects produced at the same time, by the same cause, not yet accounted for, two currents of air one warm, the other cool, flowing from the same place, at the same time.

(To be continued.)

We learn that the dysentery prevails to an alarming extent in Selinsgrove (Union county), and its vicinity, whole families being confined at one time to their beds. It proves mortal in many instances.

Susquehanna Emporium.

## BIOGRAPHICAL MEMOIR OF

## MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 132.)

Light Infantry Camp, near  
Second River, 23d Dec. 1779.

Dear General,—The intelligence which Colonel Butler brings from Amboy, which place he left at twelve o'clock this day, is, that 137 sail of shipping lay at anchor in Sandy Hook bay, at 8 o'clock this morning; between that time and the hour he departed, 102 sail had weighed anchor and gone to sea, among which was one very large armed ship, with a flag at her foretop, supposed to be Admiral Arbuthnot's;—that 35 sail of ships yet remained in the bay, the chief part of which had been there several days, with their topmasts struck; but they were all hoisted this morning, and every thing in perfect readiness for sailing, and that many of them appeared vessels of force: one of them, said to be Sir George Collier's, had a broad pendant at her maintopmast head: the fleet steered eastward.

In addition to this, Captain Gibbons, who has just returned from Powles Hook, says, that he counted 28 sail of large ships falling through the Narrows, between two and three o'clock this afternoon. The probability therefore is, that the 102 sail mentioned by Col. Butler, forms the first division under Admiral Arbuthnot, and the 28, with the 35 sail at the Hook, which will probably be joined by some more from the second division, or the Cork fleet under Sir George Collier.

I have no certain account of the number of troops on board, but I expect every hour to be informed. Two prisoners report 10,000 under Sir Harry Clinton.

I am, your Excellency's obedient,

ANTHONY WAYNE.

His Excellency, General WASHINGTON.

Light infantry Camp, Second River, 2  
26th Dec. 1779, 6 o'clock, P. M.

Dear General,—I have just returned from a position where I distinctly counted 110 sail of vessels standing out of the Hook to sea, 100 and upwards of which were large ships.

The first view which I had was about one o'clock, when I could only discover six, which appeared at a great distance out, and I soon lost sight of them; they probably were the rear of a greater number. At half after 1 the others began to come in view from their anchoring ground, in Sandy Hook bay; and at three o'clock, P. M. 104 sail more were out at sea, which, with the other six, make the 110, two of which fell down from New York about one o'clock.

The moon cursers, in the vicinity of Bergen Point, have stopped my Mercuries twice and thereby prevented me obtaining that authentic intelligence I could wish; but a person who left New York the day before yesterday, informs me that between 10 and 13,000 troops have embarked, with the chief part of the horse; among others, Lord Cathcart's legion.

Sir Harry Clinton commands in person, and it is confidently asserted that Major General James Patterson supplies his place in this department.

These are the objects mentioned; viz: Chesapeake Bay and Norfolk, in Virginia, as a tenable position, also Charleston, South Carolina.

I hope about Tuesday or Wednesday next to give your Excellency a more particular account, as to the number of troops, &c. The sailing of the fleet is certain.

I am your most obedient and very humble servant,

ANTHONY WAYNE.

His Excellency, General WASHINGTON.

HEAD QUARTERS, 2

MORRIS TOWN, Dec. 28, 1779.

Dear Sir,—I have received your favour of the 26th, mentioning the sailing of the second fleet. General

Parsons sends me intelligence, by which it appears that this fleet contained the long-talked of embarkation.

As there is now hardly any probability that any thing will be attempted here in the course of the winter, it is unnecessary to keep the men under your command any longer in their present disagreeable situation. The sooner, therefore, that they can return to their respective regiments the better. You will detach the Massachusetts troops to the Highlands, and march the rest to this camp.

Before the separation of the corps, I beg the favor of you to present my warmest thanks to the officers and men, and to assure them that I have a high sense of the real gallantry and good conduct of the former, and of the bravery and fidelity of the latter.

With pleasure I add to this testimony, that your own conduct, *on every occasion*, has justified the confidence which induced me to appoint you to the command.

I am, with great regard, your most obedient servant.

GEORGE WASHINGTON.

P. S. You will be pleased to give General Irvine, who is at Westfield, notice of your departure, that in case it is necessary, he may replace the guards heretofore kept by yourself, or change the disposition of his own.

Brigadier General WAYNE.

Light Infantry Camp, }  
Second River, Dec. 31st, 1779. }

Sir,—In behalf of the officers of Artillery, I am to assure you that it is with the greatest reluctance they view the approaching period of a separation from the command of a general, whose particular attention and politeness to them demand their most grateful acknowledgments.

Your conduct and acknowledged good character as an officer and gentleman, must ever meet with the approbation of those who have the honour of serving under you; and, although a separation will now take place, yet to look forward, we have a hope that, at a future day, we shall again be happy enough to meet with that general, who we are confident will lead us on to glory, and crown us with honour.

I am, with the gentlemen of the corps,

Your most obedient servant,

JAMES PENDLETON.

Comanding Light Artillery—at the unanimous request of the officers.

Honorable Brigadier General WAYNE.

Address of the officers in the Light Infantry.

Light Infantry Camp, }  
Second River, 1st Jan. 1780. }

Sir,—The close of the campaign, and the dissolution of the corps, necessarily calls us from under your immediate command, and in justice to our own feelings, we beg leave to tell you, that our experience of your abilities as an officer, has justly gained you that confidence essentially necessary to ensure success in military operations. The uniform politeness and attention you have paid to all, has endeared you to every individual under your command, and has, in a great measure, been the means of preserving a perfect unanimity and harmony, seldom seen in a corps formed by detachments from different states.

Be assured, sir, this does not proceed from the common motives of adulatory address, but is dictated by the warmest sentiments of gratitude, from a conviction that we are eminently indebted to your care, for the happiness we have enjoyed through the course of this campaign.

We are, with the highest respect, esteem & affection, your most obedient servants,

R. PUTNAM, Col. L. F.

RICHARD BUTLER, Col. L. F.

ALBERT CHAPMAN, Major,

Commandant, &c.

Signed at the unanimous request of the officers in the Light Infantry,

Light Infantry Camp, }  
Second River, 1st Jan. 1780. }

Gentlemen,—The pleasure which I experienced in the approbation of my conduct, gives a sensation which words cannot express.

This unanimity, mutual confidence and friendship, which, at this period of the war, so conspicuously pervade a corps formed by detachments from different states, must produce a conviction to the world, that we are not to be conquered by disunion, nor forced from the field but by superior numbers.

The esteem and affection which you are pleased to express for me, is truly reciprocal, and it is with sincere pleasure I acknowledge, that by your good conduct and example, this corps has acquired the distinction which it now holds.

The dissolution of a body of troops, with which I have enjoyed so great a share of happiness, would give me much pain, was I not confident that those sentiments, which have so firmly united the American Light Infantry, whilst embodied, will not diminish by a temporary separation. Permit me, therefore, to wish you an easy and a pleasant march, and a joyful meeting with your friends and brother officers, in the line of the army, and to assure you that I am, with much esteem,

Your most obedient and very humble servant,

ANTHONY WAYNE.

Colonels PUTNAM and BUTLER, Major CHAPMAN, and the other officers of the Light Infantry.

To be Continued.

#### MR. ROWAN.

Extract from an address delivered by Mr. ROWAN, Senator in Congress from Kentucky, at a public dinner given to him at Louisville, Ky.

"GENTLEMEN: You have justly designated me as a 'son of the wilderness.' My father, at the close of the Revolutionary war, under the illusive hope of repairing the ravages which his devotion to the cause of liberty had made in his ample patrimonial estate, emigrated from Pennsylvania, his native State, to the wilderness of Kentucky. He arrived at this place in the month of March, 1783. In the spring of the following year, he took with him five families, and made a settlement at the long falls of Green River, a place computed, at that time, to be one hundred miles from any other settlement in the country. The subject of your present kindness was then about eleven years of age. Of the hardships and privations endured by that little colony, of the dangers which they encountered, and of the fortitude with which they endured and met them, it does not behove me to speak. I cannot forbear, however, to mention an incident which took place in one of the many incursions made upon them by the savages. It is illustrative of the times, and relates to my mother; and I am led to the recital of it by the affectionate veneration with which I cherish her memory. She had walked out with Mrs. Barnett to a place where a company of young people were pulling flax, at the extremity of a large field which adjoined the fort. Mrs. Barnett had taken with her her infant son, about two years of age—very soon after they had joined the flax-pulling company, a band of savages burst from their ambuscade, and rushed upon them, discharging their guns at them, and yelling most hideously. My mother, who was an athletic woman, started to run, but recollecting that Mrs. Barnett was a delicate and weakly woman, unable to carry her child, turned and run back in the face of the Indians, under the fire of their guns, snatched the child from the arms of its feeble mother, and bore him in safety to the fort; although she was closely pursued, shot thro' her clothes with an arrow, and twice burned with the powder of the guns which were shot at her—Mrs. Barnett and her infant were both saved. He is now a respectable citizen of Ohio county, and there are still living three persons, beside myself, who witnessed the

scene, and shared in its dangers. But thanks to the hardihood, the enterprise, and the industry of our people, Kentucky now rivals the oldest of her sisters, in the comforts and conveniences of polished life. I have lived up through the scenes and partook of them all which marked the transition of the country, from the majesty of its wilderness state, to its present tasteful and highly cultivated condition. I am therefore identified with Kentucky, and can never forsake its interests."

CHAMBERSBURG, September 1-

*Mammoth.*—The remains of one of those enormous animals have been just discovered on West Conococheague, by General Samuel Dunn. In sinking and widening the tail race of his mill, in Path Valley, one of the hands discovered a perfect tooth, about seventy feet below the surface of the ground. A part was broken before its nature was observed, but the residue was taken up perfect. The length of the tooth is seven feet and its circumference fourteen inches at the root. About the root a large portion of the jaw bone was found, but the bone was immediately decomposed by the exposure to the air. The tooth weighs about 70 pounds, and forms a regular curve of about one foot from a straight line. It was found near the head of a large limestone spring which issues from the foot of a knoll, and runs into a meadow, formerly, no doubt, a marsh, occasionally overflowed by the creek. Other bones were discovered, but they all crumbled immediately on exposure to the air. The enamel or outer coat of the tooth was very firm, and difficult to break with a pick; the inner part had become in some degree softened, but presents a beautiful whiteness. The Path Valley is bounded on the East by the Kittetinning, and on the West by the Tuscarora mountains; at this place the valley is about two miles wide. This is the first evidence we have that this mighty race, so long extinct as not even to be mentioned in History, and whose remains have been discovered in various parts of the world, has once inhabited the valleys of Conococheague,—

"Has fed on our lawns and in our forests ranged."

A perfect part of the tooth is now in possession of T. G. McCulloh, Esq. of Chambersburg.—*Franklin Repos.*

PITTSBURGH, August 25.

A brisk commerce is prosecuted on the Canal. On Saturday seven boats passed through the Allegheny locks—some laden with iron in blooms, from Leechburg; some with salt, from the Kiskeminetas; and some with coal from Peterson's Coal Mines, above Springdale. The packet boat General Lacock, owned by Mr. Leonard, and the Pennsylvania, No. 1, owned by Mr. Leech, arrived and departed on Friday and Saturday with passengers.

The bringing of Coal from Springdale, 18 miles distant, may seem somewhat like "carrying coals to New Castle;" but such is the facility afforded by the Canal, and such the demand occasioned by the establishment of new manufactories and the increase of population in the City and in Allegheny-Town, that it will doubtless be a profitable business. We understand the enterprising individuals engaged in it, (Messrs. L. and P. Peterson, of this city,) have opened extensive mines, provided boats, and made arrangements by which they will be enabled to deliver from 12 to 20 hundred bushels per day in Allegheny-town. This will be a very great convenience to the citizens, and will secure them against the fluctuations in price so frequently occasioned by bad roads and other contingencies attendant on the usual mode of producing fuel.

[The official communication of Mr. Stevenson, Acting Canal Commissioner, directing the collectors of tolls on 73 miles of the Western Division of the Pennsylvania canal to commence their duties, a copy of one of which we publish below, will be highly gratifying to the citizens of the state. The navigation has now, in fact, fully begun and barring accidents will be continued.]

CANAL OFFICE, PITTSBURGH, Aug. 21, 1829.

Sir—A resolution of the Board of Canal Commissioners, passed the 9th of June last, leaves it to the Acting Commissioners on the respective divisions of the Pennsylvania Canal, to fix the time at which the collectors of tolls shall commence their duties.

Having personally, on the 16th and 17th of this month made the entire passage on that part of the Western Division of the Pennsylvania Canal between Blairsville and Pittsburg, a distance of seventy three measured miles, in a Canal Packet Boat, and the canal having now continued to be navigated by boats for some days without interruption, and the large packet and freight boat Pennsylvania, accompanied by several other boats, having this day arrived at Pittsburg, with a full freight of Iron in blooms, from Blairsville direct, I feel entirely warranted, although there are some difficulties yet to be overcome, in instructing you immediately to commence the receipt of tolls at Blairsville.

I herewith transmit a copy of the rates of tolls adopted by a resolution of the Board of Canal Commissioners. Under the resolution of the 9th of June your salary will date from the time when you shall commence the receipt of tolls, in pursuance of these instructions.

Very respectfully, yours, &c.

JAS. S. STEVENSON,  
Acting Canal Commissioner, Western  
Division Pennsylvania Canal.

To Thomas Johnson, Esq. Collector,  
Blairsville, Pennsylvania.

#### PORT OF PHILADELPHIA.

Inward for August, 1829.

| Where from.          | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|----------------------|--------|----------|--------|------------|---------|----------|
| England, - - -       | 7      |          |        |            |         | 2191     |
| Holland, - - -       | 1      |          |        |            |         | 330      |
| Portugal, - - -      |        |          | 2      |            |         | 428      |
| Hanse Towns, - -     |        |          | 1      |            |         | 242      |
| British W. Indies, - | 1      |          | 2      | 1          |         | 646      |
| French Ports on Atl. | 1      |          | 2      |            |         | 742      |
| Cuba, - - -          |        |          | 4      | 4          |         | 1098     |
| Gibraltar, - - -     |        |          |        | 1          |         | 152      |
| Hayti, - - -         |        |          |        | 4          |         | 407      |
| Madeira, - - -       |        |          | 1      |            |         | 182      |
| South America, - -   | 1      |          | 1      |            |         | 370      |
| Coast of Brazil, - - |        |          | 2      |            |         | 390      |
| Br. Am. Colonies, -  |        |          |        | 5          |         | 583      |
|                      | 11     |          | 15     | 15         |         | 7761     |

Outward for August, 1829.

| Where from.          | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|----------------------|--------|----------|--------|------------|---------|----------|
| England, - - -       | 1      |          | 1      |            |         | 691      |
| Holland, - - -       |        | 1        |        |            |         | 271      |
| Danish W. Indies, -  |        |          | 3      | 1          |         | 782      |
| French ports on Atl. |        |          | 1      |            |         | 159      |
| Cuba, - - -          |        |          | 3      | 3          |         | 900      |
| Gibraltar, - - -     |        |          | 2      | 1          |         | 813      |
| Hayti, - - -         |        |          |        | 1          |         | 79       |
| Madeira, - - -       |        |          |        | 1          |         | 83       |
| South America, - -   |        |          | 2      | 1          |         | 349      |
| Brazils, - - -       |        |          | 2      |            |         | 344      |
| Br. Am. Colonies, -  |        | 1        | 5      |            |         | 849      |
| Swedish W. Indies, - |        |          | 1      |            |         | 217      |
|                      | 1      | 2        | 20     | 10         |         | 5537     |

Coastwise, inward, vessels 42, tons 4834.

Do. outward do 60, tons 6649.

[Aurora.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

**VOL. IV.—NO. 11. PHILADELPHIA, SEPTEMBER 12, 1829. NO. 89.**

## CONSTITUTION OF PENNSYLVANIA.

In consequence of a resolution of the continental Congress, of May 15, 1776, recommending the adoption by the several Colonies, of particular forms of government adapted to their peculiar circumstances, the Committee of this city addressed a circular to the different counties: which appointed committees to attend a conference in Philadelphia, on the 18th of June—to consider the recommendation of Congress. This conference met at the time appointed, and agreed upon the propriety of holding a convention for the purpose of adopting a Constitution. The proceedings of this conference, so far as relates to this object, will be found below. The proceedings of the convention will be published hereafter.

*Proceedings of the Provincial Conference of Committees, of the Province of Pennsylvania, held at Carpenter's Hall, at Philadelphia. Begun June 18th, and continued by adjournment to June 25, 1776.*

*Tuesday, June 18, 1776.*

This day a number of gentlemen met at Carpenter's Hall, in Philadelphia, being deputed by the committees of several of the counties of this province, to join in provincial conference in consequence of a circular letter from the committee of the city and liberties of Philadelphia, inclosing the resolution of the continental congress of the 15th May last.

Col. M'KEAN, as chairman of the city committee, declared the motives which had induced that committee to propose the holding of the present conference, and then laid on the table a certificate of deputies appointed to attend on the part of said committee.

Returns were also given in from the counties of Philadelphia, Bucks, Chester, Lancaster, Berks, Northampton, York, Cumberland, Bedford, and Westmoreland, by the deputies of said counties, by which it appears the following gentlemen were appointed, *viz*:

### *For the Committee of the City, &c. of Philadelphia.*

|                               |                        |
|-------------------------------|------------------------|
| *Dr. Benjamin Franklin        | Mr. William Lowman     |
| Col. Thomas M'Kean            | Capt. Joseph Moulder   |
| Mr. Christopher Marshall, sr. | Dr. Benjamin Rush      |
| Major John Bayard             | Mr. Christopher Ludwig |
| Col. Timothy Matlack          | Mr. James Milligan     |
| Col. Joseph Dean              | Mr. Jacob Schriener    |
| Capt. Francis Gurney          | Capt. Sharp Delaney    |
| Major William Coates          | Major John Cox         |
| Mr. George Schlosser          | Capt. Benjamin Loxley  |
| Capt. Jonathan B. Smith       | Capt. Samuel Brewster  |
| Capt. George Goodwin          | Capt. Joseph Blewer    |
| Mr. Jacob Barge               | Mr. William Robinson.  |
| Mr. Samuel C. Morris          |                        |

### *For the Committee of Philadelphia County.*

|                        |                     |
|------------------------|---------------------|
| Col. Henry Hill        | *Major James Potts  |
| Col. Robert Lewis      | Major Robert Loller |
| Dr. Enoch Edwards      | Mr. Joseph Mather   |
| *Col. William Hamilton | Mr. Matthew Brooks  |

§All the members attended except those marked with an \*

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Col. John Bull  
Col. Frederick Antis

\*Mr. Edward Bartholomew.

### *For the Committee of Bucks county.*

|                     |                     |
|---------------------|---------------------|
| John Kidd, Esq.     | Col. Joseph Hart    |
| Major Henry Wynkoop | Mr. Benjamin Segle. |
| Mr. James Wallace   |                     |

### *For the Committee of Chester County.*

|                     |                       |
|---------------------|-----------------------|
| Col. Richard Thomas | Col. Hugh Lloyd       |
| Major William Evans | Richard Reiley, Esq.  |
| Col. Thomas Hockley | Col. Evan Evans       |
| Major Caleb Davis   | Col. Lewis Grono      |
| Elisha Price, Esq.  | Major Sketchly Morton |
| Mr. Samuel Fairlamb | Capt. Thomas Levis.   |
| Col. Wm. Montgomery |                       |

### *For the Committee of Lancaster County.*

|                        |                        |
|------------------------|------------------------|
| William Atlee, Esq.    | Mr. William Brown      |
| Mr. Lodowick Lowman    | Mr. John Smiley        |
| Col. Bartram Galbraith | Major James Cunningham |
| Col. Alexander Lowrey  | Major David Jenkins,   |
| Capt. Andrew Graaff    |                        |

### *For the Committee in Berks County*

|                     |                       |
|---------------------|-----------------------|
| Col. Jacob Morgan   | Col. Daniel Hunter    |
| Col. Henry Haller   | Col. Valentine Eakerd |
| Col. Mark Bird      | Col. Nicholas Lutz    |
| Dr. Bodo Otto       | Capt. Joseph Hiester  |
| Mr. Benjamin Spiker | Mr. Charles Shoemaker |

### *For the Committee of Northampton county.*

|                     |                      |
|---------------------|----------------------|
| Robert Levers, Esq. | Nicholas Depue, Esq. |
| Col. Neigal Gray    | Mr. David Deshler    |
| John Weitzell, Esq. | Mr. Benjamin Dupue.  |

### *For the Committee of York county.*

|                        |                    |
|------------------------|--------------------|
| Col. James Smith       | Col. Henry Slagle  |
| Col. Robert M'Pherson  | Mr. James Eagar    |
| Col. Richard M'Alister | *Mr. John Hay      |
| Col. David Kennedy     | Capt. Joseph Read. |
| Col. William Rankin    |                    |

### *For the Committee of Cumberland County.*

|                      |                     |
|----------------------|---------------------|
| Mr. James M'Lane     | Dr. John Colhoon    |
| *Col. John Allison   | Mr. John Creigh     |
| John M'Clay, Esq.    | Mr. Hugh M'Cormick  |
| William Elliot, Esq. | Mr. John Harris     |
| Col. William Clark   | Mr. Hugh Alexander. |

### *For the Committee of Bedford County.*

|                 |                       |
|-----------------|-----------------------|
| Col. David Espy | Samuel Davidson, Esq. |
| Col. John Piper |                       |

### *For the Committee of Westmoreland County.*

|                 |                  |
|-----------------|------------------|
| Mr. Edward Cook | Mr. James Perry. |
|-----------------|------------------|

A quorum of the members from the above counties being met, except that only two appeared from Chester county; proceeded to the choice of a president, vice-president, and two secretaries, and

Col. Thomas M'Kean was chosen President.

Col. Joseph Hart, Vice-President.

Jonathan B. Smith, }  
Samuel C. Morris, } Secretaries.

The conference adjourned to three o'clock, P.M.

3 o'clock, P. M.

The conference met, present as above, and Adjourned to nine o'clock to-morrow morning.

Wednesday, June 19, 1776.

The conference met, present 12 committees, 97 members.

A return was delivered at the table from Northumberland, and the deputies attended being—Col. William Cook, Alexander Hunter Esq. Messieurs John Heitzel, Robert Martin, and Matthew Brown.

As did those also from Chester.

On motion, it was *Resolved unanimously*, That in taking the sense of this conference on any question which may come before them, the city and counties respectively shall have one vote.

On motion, it was *Ordered*, That the resolution of the continental Congress of 15th May last, recommending the total suppression of all authority under the king of Great Britain, &c. be read, and it was read accordingly, and is in the words following, viz:

*In Congress, May 15 1776.*

Whereas his Britannic majesty, in conjunction with the lords and commons of Great Britain, has by a late act of parliament, excluded the inhabitants of these united colonies from the protection of his crown—And whereas no answer whatever, to the humble petitions of the colonies for redress of grievances and reconciliation with Great Britain, has been, or is likely to be given, but the whole force of that kingdom, aided by foreign mercenaries, is to be exerted for the destruction of the good people of these colonies—And whereas it appears absolutely irreconcilable to reason and good conscience, for the people of these colonies now to take the oath and affirmation necessary for the support of any government under the crown of Great Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies for the preservation of internal peace, virtue and good order, as well as for the defence of their lives, liberties and properties, against the hostile invasions and cruel depredations of their enemies—Therefore,

*Resolved*, That it be recommended to the respective assemblies and conventions, of the united colonies, where no government sufficient to the exigencies of their affairs has been hitherto established to adopt such government as shall in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.

By order of the Congress,  
JOHN HANCOCK, President.

By special order the same was read a second time, and after mature consideration,

*Resolved unanimously*, That the said resolution of congress of 15th May last, is fully approved by this conference.

On motion, *Resolved unanimously*, That the present government of this province is not competent to the exigencies of our affairs.

On motion, *Resolved N. C. D.* That it is necessary that a provincial convention be called by this conference for the express purpose of forming a new government in this province, on the authority of the people only.

*Resolved unanimously*, That a committee be appointed to ascertain the number of members of which the convention ought to consist, and the proportion of representatives for the city and each county; and that two members from the city and each county be appointed on said committee, except from Westmoreland, which can furnish but one, and the following gentlemen were appointed, viz.

Messieurs Bayard,  
Bull,  
Kidd,  
Davis,  
Atlee,  
Bird,

Messieurs Gray,  
Smith,  
McClean,  
Espy,  
Weitzell,  
Cook,

Matlack,  
Mather,  
Hart,  
Levis,  
Cunningham,  
Haller,

Levers,  
McAlister,  
Creigh,  
Piper,  
Hunter.

*Resolved*, That the committee now appointed be instructed to fix upon some number, not less than ninety, nor more than one hundred and ten, for the whole province.

Then the conference adjourned to half after three o'clock, P. M.

June 19th, P. M.

The conference met.

A petition from the German associators of the city and liberties of Philadelphia was read, praying that all associators, who are taxables, may be entitled to vote.

*Ordered* to lie on the table for perusal of the members.

On motion, *Resolved unanimously*, That this conference will now enter into a consideration of the qualifications of electors, and persons who may be elected.

*Resolved unanimously*, That this conference will resolve itself into a committee of the whole, to enter upon said consideration.

The president left the chair.

The president resumed the chair.

Col. Hart, from the committee of the whole reported, that the committee had come to no resolution, and desired leave to sit again.

*Ordered*, That the committee of the whole have leave to sit again to-morrow morning at eight o'clock.

The conference adjourned to eight o'clock to-morrow, A. M.

THURSDAY, June 20, 1776.

The conference met, every committee present.

The order of yesterday, for resolving the conference into a committee of the whole was read.

*Resolved unanimously*, That the conference will now go into a committee of the whole.

The president left the chair.

The president resumed the chair.

Col. Hart reported from the committee of the whole, that they had come into two resolutions, which he was ready to report, when the conference would receive them.

*Ordered*, That they be received forthwith; then the said resolutions being read and considered, were agreed to by the conference, without one dissenting voice, and are as follows, viz.

*Resolved*, That every associator in the province shall be admitted to a vote for members of the convention, in the city or county in which he resides; provided such associator be of the age of twenty-one years, and shall have lived one year in this province immediately preceding the election; and shall have contributed at any time before the passing of this resolve to the payment of either provincial or county taxes, or shall have been rated or assessed towards the same.

*Resolved*, That every person, qualified by the laws of this province to vote for representatives in assembly, shall be admitted to vote for members of the intended convention; provided he shall first take the following test on oath or affirmation, if thereunto required by any one of the judges or inspectors of the election, who are hereby empowered to administer the same.

"I ——— do declare that I do not hold myself bound to bear allegiance to George the third, king of Great Britain, &c. and that I will not, by any means, directly or indirectly, oppose the establishment of a free government in this province, by the convention now to be chosen; nor the measures now adopted by the congress, against the tyranny attempted to be established in these colonies by the court of Great Britain."

*Ordered*, That the committee of the whole have leave to sit this afternoon at three o'clock.

Then the conference adjourned to three o'clock this afternoon.



June 20, 1776, P. M.

The conference met.

On motion, *Resolved unanimously*, That whereas the county of Westmoreland hath been exempted from the payment of taxes for three years last past; and thereby many persons may be excluded from a vote at the ensuing election in consequence of the foregoing regulations, contrary to the intention thereof, therefore every person of 21 years of age, being a free man, residing in said county, shall be admitted to vote, he being an associator, and having lived one year in this province next preceding the election, and taking the test aforesaid if thereunto required.

*Resolved unanimously*, That the election shall be made by ballot in the manner heretofore used in this province at the general elections.

*Resolved unanimously*, That no person who has been published by any committee of inspection, or the committee of safety in this province, as an enemy to the liberties of America; and has not been restored to the favor of his country, shall be permitted to vote at the election of members for said convention.

The conference then adjourned to eight o'clock, tomorrow, A.M.

FRIDAY, June 21, 1776.

The conference met.

On motion, *Resolved unanimously*, That every voter, at the proposed election, shall be a free man, and if thereunto required by any of the judges or inspectors, shall, before his vote is received, take the foregoing test.

*Resolved unanimously*, That any person qualified to vote for members of the assembly, by the laws of this province, may be elected a member of convention, provided that he shall have resided at least one year immediately preceding the same election, in the city or county for which he shall be chosen, and shall, before he takes his seat in convention, take the following oath or affirmation, viz.

"I ——— do declare that I do not hold myself bound to bear allegiance to George the third, king of Great-Britain, &c. and that I will steadily and firmly at all times promote the most effectual means, according to the best of my skill and knowledge, to oppose the tyrannical proceedings of the king and parliament of Great-Britain, against the American colonies; and to establish and support a government in this province, on the authority of the people only, &c. That I will oppose any measure that shall or may in the least interfere with or obstruct the religious principles or practices of any of the good people of this province, as heretofore enjoyed." *Also*

*Resolved*, That no person elected to serve as a member of convention, shall take his seat to give his vote, until he shall have made and subscribed the following declaration.

"I ——— do profess faith in God the Father, and in Jesus Christ his eternal Son, the true God, and in the Holy Spirit, one God blessed for evermore; and do acknowledge the holy scriptures of the old and new testament to be given by divine inspiration."

Ordered to lie on the table for the perusal of the members.

*Resolved*, That Messrs. Moulder, Lollar, Wallace, Hockley, Lowry, Eachard, B. Dupue, McPherson, Clarke, Davidson, Cook and Parry, be a committee, to consider of the proper time, place and manner, of holding and regulating the ensuing election, and to fix a day for the meeting of the representatives of the people so chosen.

The conference adjourned to three o'clock, P.M.

June 21, 1776, P.M.

The conference met.

The committee appointed to ascertain the number and proportion of members to represent the province, and each particular city and county in convention, made their report in the words following, viz.

The committee appointed for, &c. report, that your committee having conferred together, and endeavoured to obtain the best intelligence that can be had, find that full information respecting the number of taxables in each county cannot now be had; and therefore cannot be adopted as a rule in fixing the number of representatives for the city and counties respectively,—your committee, however are satisfied that the number of taxables in the counties respectively does not differ so much as to make it of any probable disadvantage, to allow an equal representation from each county; especially as the convention will probably vote by city and counties, (as in the preceding conventions) upon the questions which shall come before them.

We therefore recommend, that it be resolved that eight representatives be sent by the city of Philadelphia, and eight by each county in the province, to the convention.

On motion, that the inhabitants of the city be divided from the county of Philadelphia, and that they be not admitted to vote or be voted for, in the election of the county members for the convention.

It was moved, that the previous question be put, viz. Whether this question be now put? And it was put accordingly, and carried in the negative.

*Resolved*, That this conference approve of the report of the committee.

The conference then adjourned to eight o'clock tomorrow, A.M.

SATURDAY, June 22, 1776. A.M.

The conference met.

On motion, *Resolved unanimously*, That the determinations of this conference on the representation of the city and county of Philadelphia, shall not be drawn into precedent in future.

June 22, 1776, P.M.

The conference met.

The committee appointed yesterday, to consider of the proper time, place and manner of regulating the ensuing election, and to fix a day for the meeting of the representatives so chosen, made their report.

On motion, *Resolved*, That this conference will take into consideration the propriety of dividing all or any of the counties into several districts in which the election shall be held, when the said report shall be considered.

On motion, The said report being read a second time, by paragraphs, was by order, recommitted.

The conference then adjourned to eight o'clock tomorrow.

Sunday, June 23, 1776.

The conference met.

The committee appointed to consider the proper time, &c. of holding the election, delivered their report at the table, which being read by order, was unanimously agreed to by the house, and is in the words following, viz:

The committee appointed to consider of the proper time, place and manner of holding an election for members of convention, and the time of the meeting of the persons so chosen, report as followeth—That they appoint Monday the 8th day of July next for electing said Members—That the several counties proceed to choose their respective members at the following places, viz:

For the city and county of Philadelphia, the counties of Bucks, Berks and Bedford, at the usual places of election.

Chester county, to be divided into three districts.

York county to be divided into five districts.

Northampton county, to be divided into four districts.

Cumberland county, to be divided into three districts.

Northumberland county, to be held at George M<sup>r</sup>. Candlish's in Turbert township.

Westmoreland county, to be divided into 2 divisions.

The county of Lancaster, to be divided into six districts.

And that the electors of every borough, ward, or township, in each of the counties, shall meet on Satur-



day the 6th of July next, between the hours of two and six o'clock in the afternoon, and chuse inspectors to receive the votes from the electors of their boroughs, wards or townships respectively. The place for said elections to be advertised by the county committee, who shall also superintend such elections, and make returns of the inspectors chosen, to the judges of the general election. And if any district shall neglect to chuse inspectors as aforesaid, in such case the judges of the election, shall appoint inspectors for those who so neglect, on the morning of the day of the general election; & that each of the said inspectors, on the day of the general election, shall, before he proceeds to take or receive any votes, take the following oath or affirmation, viz:

"I, A. B. do declare, that I will duly attend the ensuing election, during the continuance thereof, and will truly and faithfully assist the judges of said election, to prevent all frauds and deceits whatever of electors, or others, in carrying on the same, and in causing the poll or votes at such election to be marked off on the respective lists, and fairly cast up;" which oath or affirmation to be administered by any one of the judges.

And that the deputies from the city of Philadelphia, and from each county, shall nominate and appoint three discreet and able members of their respective committees residing within the several districts, to be judges of the general election within said districts; which said judges, together with the inspectors, shall appoint clerks for taking the polls at the said election; and the said judges and clerks shall respectively take the same oath or affirmation as is required to be taken by the inspectors, which shall be administered by any one of the judges to the others, they being hereby authorized and appointed to administer the same.

And that the commissioners of the city and counties in this province, when required, shall deliver unto the judges of said election true duplicates of all the taxables in the several districts of their respective counties. And that the judges aforesaid shall, and are hereby required and empowered to act in all cases respecting said elections in the room and places of sheriffs, until the same are finished; and when the polls are closed and the votes counted off, or cast up, in the several districts of such counties as are divided as aforesaid, the judges and inspectors shall cause certified accounts thereof to be taken by some of them, to their respective county towns, on the next day, and of the names of the persons chosen in the several districts, with the number of votes for each candidate; which, when compared and added together, the eight highest numbers shall be the persons to represent such county in convention; and also that the judges, or any two of them, for the cities and counties respectively, shall certify from under their hands and seals to the convention, on the day appointed for their meeting as aforesaid, a true list or certificate of the names of the members so chosen, in the city and counties respectively, together with the number of votes for each of them. And the captains or commanding officer of each company in the several battalions of this province, are hereby required to furnish complete lists of their companies to the judges and inspectors of the several districts, on the morning of the election. Which persons so chosen to be members of the convention, shall meet at Philadelphia on Monday the 15th of July next, in convention as aforesaid.

*Ordered*, That the following gentlemen be appointed to be judges of the election in the counties, and in the respective districts, viz.

*City, &c. of Philadelphia.*

Samuel Massey, Frederick Kuhl, Thomas Cuthbert.

*County of Philadelphia.*

William Coates, Frederick Antis, Robert Lollar.

*Bucks county—at Newtown.*

Henry Wynkoop, James Wallace, Joseph Hart.

*Chester County—First division at Chester.*

Hugh Lloyd, Thomas Lewis, Mark Wilcox.

2d division, at Chatham.

John M'Kay, Joseph Gardner, Thomas Welsh.  
3d division at the White Horse.

Richard Thomas, Lewis Grono, Thomas Bull.

*Berks County—at Reading.*

Valentine Eakerd, Jacob Morgan, Daniel Hunter.

*Lancaster County.*

1st division, at the Borough.

William Bowsman, H. Dehuff, Jacob Erb.

2d division at James Porter's, Jr.

Richard Ferree, John M'Mullen, Robert Tweed.

3d division at Elizabethtown.

Daniel Elliott, Robert Clark, Jacob Haldiman.

4th division at Lebanon.

Casper Kuhn, Jacob Eckart, Philip Greenawalt.

5th division at New Holland.

Ja. M'Camment, Gab. Davis, Michael Whitman.

6th division at Garber's mill,

John Rogers, John Harris, James Morrow.

*Cumberland County.*

First division, at Carlisle.

Robert Miller, Benjamin Blyth, James Gregory.

2d division at Chambersburg.

John Allison, James Maxwell, John Beard.

3d division at Robert Campbell's.

William Brown, Alexander Morrow, James Taylor.

*York County.*

1st division at York-Town.

Charles Lukens, John Hay, Michael Hayn.

2d division at Samuel Gaddis's.

William M'Clellan, John Agnew, James Dickson.

3d division at Hanover.

Joseph Jefferies, Thomas Lilley, Frederick Wolfe.

4th division at Nicholson's mill.

James Leiper, Patrick Scott, James Savage.

5th division at Robert Stevenson's.

John Nesbit, James Naylor, William Mitchell.

*Bedford County—At the usual place.*

Samuel Davidson, James Anderson, William Todd.

*Northumberland County—At George M'Candish's.*

Thomas Hewitt, William Shaw, Joseph Green.

*Westmoreland County.*

1st division at Spark's fort.

George Wilson, John Kile, Robert M'Connell.

2d division at Hannah's-Town.

James Barr, John Moore, Clement M'Geary.

*Northampton County.*

1st division at Easton.

Abraham Berlin, Jesse Jones, Jonas Hartzell.

2d division at Allen's-town.

John Gerhart, David Deshler, George Breinig.

3d division at Peter Anthony's.

Simon Dreisbach, Neigel Gray, Peter Anthony.

4th division at Nicholas Dupue's.

Robert Levers, Nicholas Dupue, Jacobus Vangarder.

*Ordered*, That doctor Rush, the chairman, colonel Hill, and colonel Smith, prepare a draft of an address to the inhabitants of the province, and report to the conference.

The conference then adjourned to 3 o'clock, P. M.  
June 23d, 3 o'clock, P. M.

The conference met.

The gentlemen appointed to prepare a draft of an address to the inhabitants of this province, delivered at the table, a draft which was read.

The draft of an address, &c. was by order read a second time; and being considered and amended, was agreed to unanimously, and is in the following words.

The Address of the Deputies from the Committees of Pennsylvania, assembled in Provincial conference, June 23.

*To the People of Pennsylvania.*

FRIENDS AND COUNTRYMEN,  
In obedience to the power we derived from you, we

have fixed upon a mode of electing a convention to form a government for the province of Pennsylvania, under the authority of the people.

Divine Providence is about to grant you a favour which few people have ever enjoyed before, the privilege of chusing deputies to form a government under which you are to live. We need not inform you of the importance of the trust you are about to commit to them. Your liberty, safety, and happiness and every thing that posterity will hold dear to them to the end of time, will depend upon their deliberations. It becomes you therefore to chuse such persons only to act for you in the ensuing convention, as are distinguished for wisdom, integrity, and a firm attachment to the liberties of this province, as well as to the liberties of the united colonies in general.

In order that your deputies may know your sentiments as fully as possible upon the subject of government, we beg that you would convey to them your wishes and opinions upon that head immediately after their election.

We have experienced an unexpected unanimity in our councils, and we have the pleasure of observing a growing unanimity among the people of the province. We beg that this brotherly spirit may be cultivated, and that you would remember that the present unsettled state of the province requires that you should shew forbearance—charity—and moderation to each other. We beg that you would endeavour to remove the prejudices of the weak and ignorant, respecting the proposed change in our government, and assure them that it is absolutely necessary to secure property—liberty and the sacred rights of conscience to every individual in the province.

The season of the year, and the exigencies of our colony require dispatch in the formation of a regular government. You will not therefore be surprised at our fixing the day for the election of deputies so early as the 8th of next July.

We wish you success in your attempts to establish & perpetuate your liberties, and pray God to take you under his special protection.

Signed by unanimous order of the Conference.

THOMAS M'KEAN, President.

MONDAY, June 24, A. M.

The conference met according to adjournment, but many of the members being on committees, the conference adjourned to three o'clock this afternoon.

*The conference met, June 24, 1776 P. M.*

The committee appointed for that purpose brought in a draft of a declaration, on the subject of the independence of this colony, of the crown of Great-Britain. which was ordered to be read by special order, the same was read a second time, and being fully considered, it was with the greatest unanimity of all the members agreed to and adopted, and is in the words following, viz:

Whereas George the third, king of Great-Britain, &c. in violation of the principles of the British constitution; and of the laws of justice and humanity, hath by an accumulation of oppressions unparalleled in history excluded the inhabitants of this, with the other American colonies from his protection; and whereas he hath paid no regard to any of our numerous and dutiful petitions for a redress of our complicated grievances, but hath lately purchased foreign troops to assist in enslaving us; and has excited the savages of this country to carry on a war against us; as also the negroes to embroil their hands in the blood of their masters, in a manner unpractised by civilized nations; and hath lately insulted our calamities, by declaring that he will shew us no mercy until he has reduced us: And whereas the obligations of intelligence (being reciprocal between a king and his subjects) are now dissolved on the side of the colonists, by the despotism of the said king, insomuch that it now appears that loyalty to him is treason against the good people of this country. And whereas not only the parliament, but, there is reason to believe, too many of the people of Great-Britain, have concurred in the aforesaid arbitrary

and unjust proceedings against us: And whereas the public virtue of this colony (so essential to its liberty and happiness) must be endangered by a future political union with or dependence upon a crown and nation so lost to justice, patriotism, and magnanimity; "We the Deputies of the people of Pennsylvania assembled in full provincial conference, for forming a plan for executing the resolve of congress of the 15th of May last, for suppressing all authority in this province derived from the crown of Great-Britain; and for establishing a government upon the authority of the people only, now in this public manner in behalf of ourselves, and with the approbation, consent, and authority of our constituents, Unanimously declare our willingness to concur in a vote of the congress, declaring the united colonies free and independent states, provided the forming the government, and the regulation of the internal police of this colony be always reserved to the people of the said colony; and we do further call upon the nations of Europe; and appeal to the great arbiter and governor of the empires of the world, to witness for us, that this declaration did not originate in ambition, or in an impatience of lawful authority; but that we were driven to it; in obedience to the first principle of nature, by the oppressions and cruelties of the aforesaid king and parliament of Great-Britain, as the only possible measure that was left us to preserve and establish our liberties, and transmit them inviolate to posterity.

*Ordered*, That this declaration be signed at the table; and that the president deliver it in congress.

June 24, 1776.

*Resolved unanimously*, That thanks be given to the president, for his impartiality and close attention to the business of this conference.

*Resolved unanimously*, That the thanks of this conference be given to the committee of the city and liberties of Philadelphia, &c. for their unwearied endeavours in the public service, and particularly for their patriotic exertions in carrying into execution the resolve of congress of May 15th last, for suppressing all authority under the crown of Great-Britain.

Then the conference dissolved itself.

THOMAS M'KEAN, President.

JONATHAN B. SMITH, }  
SAMUEL C. MORRIS, } Secretaries.

*Collector's Office, opposite Pittsburgh, }  
Saturday night, Aug. 29. }*

MESSRS. EDITORS—Inclosed, I hand you a list of the arrivals and departures of Boats on the Western Division Penn'a Canal during the week ending this night, which you will publish if you think proper. It may be gratifying to your readers to learn, that this splendid improvement is now in successful operation, and that large quantities of Iron from Blairsville, and Salt from the Kiskiminetas works are daily arriving by the Canal.

\* Freight from Blairsville (73 miles) \$2.75 per ton, including Tolls. Freight of salt from the works (46 miles) per barrel from 25 to 31 cents.

Yours, respectfully, &c. WM. B. FOSTER,  
Collector of Tolls W. D. Pa. Canal.

#### ARRIVALS.

- Aug. 23, Reindeer, Pioneer, Gen. Lacock, Warren Packet.
- 26, Little Buck, Rambler, Messenger, Jackson, Warren Packet.
- 27, Unexpected, Collier, Blairsville Packet.
- 28, Reindeer, Spy, General Lacock.
- 29, Flat, Black-snake.—17.

#### DEPARTURES.

- Aug. 23, Pennsylvania, Flat, Collier.
- 24, Reindeer, Jackson.
- 24, General Lacock, Walker, Manager.
- 26, Enterprise, Wheeling Packet.
- 27, Rambler, Unexpected, Messenger, Jackson.
- 28, Warren Packet, Little Buck, Collier.
- 29, Farmer, Reindeer, Black-snake.—20,

## DOCUMENTS ACCOMPANYING THE REPORT ON THE STATE

## No. IV.

## ABSTRACTS FROM THE OFFICIAL REPORTS OF THE AUDITOR

| Date of<br>charters | Names of Banks.              | Towns<br>where located. | County.        | Capital<br>authorised. | Capital<br>paid in. | Nov. 1814.             |         |               |
|---------------------|------------------------------|-------------------------|----------------|------------------------|---------------------|------------------------|---------|---------------|
|                     |                              |                         |                |                        |                     | Notes in<br>circulat'n | Specie. | P. c<br>divi. |
| 1814                |                              |                         |                |                        |                     |                        |         |               |
| Apr. 29             | Bank of Gettysburg,          | Gettysburg              | Adams          | 350,000                | 159,563             | 106,330                | *       | *             |
| May 9               | Harrisburg Bank,             | Harrisburg              | Dauphin        | 600,000                | 168,300             | 123,100                | *       | *             |
| 11                  | Carlisle Bank,               | Carlisle                | Cumberland     | 300,000                | 159,935             | 156,525                | *       | *             |
| 13                  | Bank of Chambersburg,        | Chambersburg            | Franklin       | 600,000                | 303,875             | 286,375                | *       | 9             |
| 13                  | Westmoreland Bank of Pa.     | Greensburg              | Westmoreland   | 250,000                | 111,963             |                        |         |               |
| 16                  | Lancaster Trading Comp'y.    | Lancaster               | Lancaster      | 600,000                | 151,080             | 118,770                | 37,518  | none          |
| 19                  | Marietta & Susq. Trading Co. | Marietta                | Do             | 600,000                | 263,155             | 228,220                | 7,832   | *             |
| 19                  | Centre Bank of Pennsylv'a,   | Bellefonte              | Centre         | 500,000                | 159,610             | 219,655                | 52,423  | 9             |
| 23                  | Farmer's Bank of Reading,    | Reading                 | Berks          | 525,000                | 300,270             | 144,425                | *       | *             |
| June 3              | Allegheny Bank of Penn.      | Bedford                 | Bedford        | 200,000                | 144,807             | 116,900                | *       | none          |
| 6                   | Bank of Germantown,          | Germantown              | Philadelphia   | 300,000                | 152,000             | 59,239                 | *       | none          |
| 6                   | York Bank,                   | York                    | York           | 500,000                | 192,940             | 126,790                | 48,804  | 4½            |
| 7                   | Farmer's Bank of Lancaster   | Lancaster               | Lancaster      | 600,000                | 600,000             | 193,150                | 46,980  | *             |
| 15                  | Bank of Swatara,             | Harrisburg              | Dauphin        | 400,000                | 75,075              |                        |         |               |
| 21                  | Easton Bank,                 | Easton                  | Northampton    | 400,000                | 214,770             |                        |         |               |
| 30                  | Pa. Agric. & Man. Bank,      | Carlisle                | Cumberland     | 600,000                | 165,500             |                        |         |               |
| July 5              | Bank of Washington,          | Washington              | Washington     | 500,000                | 106,572             |                        |         |               |
| 11                  | Northampton Bank,            | Northampton             | Lehigh         | 125,000                | 125,000             |                        |         |               |
| 12                  | Juniata Bank of Pennsylv'a,  | Lewistown               | Mifflin        | 250,000                | 191,765             | 64,000                 | 20,243  | none          |
| 26                  | Bank of Delaware county,     | Chester                 | Delaware       | 200,000                | 77,380              |                        |         |               |
| Aug. 2              | Bank of Chester county,      | West Chester            | Chester        | 450,000                | 90,000              |                        |         |               |
| 4                   | Bank of Beaver,              | Beaver                  | Beaver         | 125,000                | 78,970              |                        |         |               |
| 6                   | Bank of Pittsburg,           | Pittsburgh              | Allegheny      | 600,000                | 340,685             |                        |         |               |
| 15                  | Huntingdon Bank,             | Huntingdon              | Huntingdon     | 300,000                | 123,122             |                        |         |               |
| 17                  | Monongahela B. Brownsville   | Brownsville             | Fayette        | 300,000                | 102,123             |                        |         |               |
| Sep. 9              | N. Western Bank of Penn.     | Meadville               | Crawford       | 200,000                | 77,255              |                        |         |               |
| 10                  | Union Bank of Pennsylv'a.    | Uniontown               | Fayette        | 300,000                | 124,792             |                        |         |               |
| Oct. 24             | Northumb. Union & Colu. Bk.  | Milton                  | Northumb'rland | 375,000                | 116,630             |                        |         |               |
| 31                  | Farmers' Bank of Bucks co    | Hulmesville             | Bucks          | 400,000                | 60,090              |                        |         |               |
| 1815                |                              |                         |                |                        |                     |                        |         |               |
| Jan. 13             | Far. & Mech. Bk of Pittsb'g, | Pittsburg               | Allegheny      | 450,000                | 97,845              |                        |         |               |
| Mar. 13             | Far. & Mech. Bk. Greencastle | Greencastle             | Franklin       | 250,000                | 126,059             |                        |         |               |
| Aug. 29             | Bank of Montgomery co.       | Norristown              | Montgomery     | 400,000                | 68,225              |                        |         |               |
| 1816                |                              |                         |                |                        |                     |                        |         |               |
| Nov. 27             | Silver Lake Bank,            | Montrose                | Susquehanna    | 115,000                | 64,882              |                        |         |               |
| (*) Not specified.  |                              |                         |                | 12,665,000             | 5,294,238           | 1,942,579              | 213,800 |               |

NOTES. The five banks which made no return in November, 1819, have forfeited their charters. The mode of ascertaining it. The aggregate amount of deposits in the above banks, was usually double the aggregate

## NO. V.

## ABSTRACTS FROM THE OFFICIAL REPORTS

| Date orig.<br>charters. | Names of Banks.        | where lo-<br>cated. | Capital<br>authorised | Capital<br>paid in. | November, 1814.        |              |                   | November, 1815.        |         |                   |
|-------------------------|------------------------|---------------------|-----------------------|---------------------|------------------------|--------------|-------------------|------------------------|---------|-------------------|
|                         |                        |                     |                       |                     | Notes in<br>circulat'n | Spe-<br>cie. | Rate of<br>divid. | Notes in<br>circulat'n | Specie. | Rate of<br>divid. |
| 1793                    |                        |                     |                       |                     |                        |              |                   |                        |         |                   |
| March 30                | B'k of Pennsylvania    | Philad.             | 2,500,000             | 2,500,000           |                        |              |                   | 1,325,925              | 389,532 | *                 |
| 1804                    |                        |                     |                       |                     |                        |              |                   |                        |         |                   |
| March 5                 | Philadelphia Bank      | Do.                 | 2,000,000             | 1,800,000           |                        |              |                   | 664,420                | 223,093 | *                 |
| 1809                    |                        |                     |                       |                     |                        |              |                   |                        |         |                   |
| March 16                | Farmers & Mech. B'k    | Do.                 | 1,250,000             | 1,250,000           |                        |              |                   | 501,750                | 218,632 | *                 |
| 1814                    |                        |                     |                       |                     |                        |              |                   |                        |         |                   |
| May 28                  | Commercial Bank        | Do.                 | 1,000,000             | 1,000,000           | 234,599                | *            | none              | 848,127                | *       | 6½                |
| June 4                  | Mechanics Bank         | Do.                 | 1,000,000             | 534,000             | 227,600                | *            | *                 | 722,900                | *       | *                 |
| May 26                  | Schuylkill Bank        | Do.                 | 1,000,000             | 400,000             | none                   | *            | none              | 337,034                | *       | 8                 |
| May 9                   | B. of North. Liberties | Do.                 | 500,000               | 250,000             | 15                     | *            | none              | 410,351                | *       | 9                 |
|                         | B. of North America    | Do.                 |                       |                     |                        |              |                   |                        |         |                   |
|                         | Stephen Girards B'k    | Do.                 |                       |                     |                        |              |                   |                        |         |                   |
|                         | Camden Branch B'k      | Do.                 |                       |                     |                        |              |                   |                        |         |                   |
|                         |                        |                     | 9,250,000             | 7,734,000           | 462,214                |              |                   | 4,810,507              | 831,257 |                   |

OF THE COMMONWEALTH.—(Continued from page 163.)

GENERAL, MADE ANNUALLY TO THE LEGISLATURE.

| Nov. 1815.             |         |             | Nov. 1816.             |         |             | Nov. 1817.             |         |             | Nov. 1818.             |         |          | Nov. 1819.             |         |          |
|------------------------|---------|-------------|------------------------|---------|-------------|------------------------|---------|-------------|------------------------|---------|----------|------------------------|---------|----------|
| Notes in<br>circulat'n | Specie. | P.c<br>div. | Notes in<br>circulat'n | Specie. | P.c<br>div. | Notes in<br>circulat'n | Specie. | P.c<br>div. | Notes in<br>circulat'n | Specie. | pc<br>dv | Notes in<br>circulat'n | Specie. | pc<br>dv |
| 177,555                | 44,091  | 9           | 120,680                | 47,967  | 9           | 66,405                 | 48,060  | 8           | 59,265                 | 24,982  | 6½       | 33,805                 | 17,210  | 5        |
| 138,150                | 36,220  | 13½         | 54,323                 | 37,482  | 8           | 81,200                 | 36,094  | 8           | 84,797                 | 24,593  | 7        | 44,588                 | 16,693  | 7        |
| 149,997                | 41,793  | 12          | 190,234                | 40,217  | 8           | 97,667                 | •       | 8           | 28,614                 | •       | 7½       | 11,016                 | 15,529  | 6        |
| 249,970                | •       | 9           | 218,111                | 39,663  | 8           | 104,889                | 30,948  | 8½          | 64,701                 | 12,107  | 7        | 30,484                 | •       | 5        |
| 207,006                | •       | •           | 190,095                | 36,334  | 9           | 140,758                | 29,635  | •           | 80,035                 | 5,877   | 7½       | 14,504                 | •       | 6½       |
| 144,555                | 38,011  | •           | 120,380                | 38,760  | 6½          | 37,200                 | 16,872  | •           | 33,300                 | 6,745   | 5        | 32,240                 | 12,802  | 6        |
| 252,023                | •       | 7           | 232,105                | •       | 6½          | 154,053                | •       | 6½          | 132,182                | none    | 6½       | 35,539                 | none.   | 1½       |
| 236,119                | 52,470  | 9           | 226,027                | 52,486  | 8           | 137,336                | 33,615  | 8           | 112,333                | 25,109  | 7        | 45,732                 | 12,486  | 6        |
| 339,561                | •       | •           | 196,301                | 45,226  | •           | 240,755                | 37,967  | •           | 219,854                | 24,057  | •        | 130,643                | 3,821   | •        |
| 215,536                | 404     | 12          | 193,350                | 32,357  | 9           | 102,649                | 25,182  | 8½          | 62,880                 | •       | 7        | 18,361                 | •       | 2        |
| 216,984                | •       | 10          | 70,963                 | 13,619  | 6½          | 92,975                 | 22,102  | 7           | 90,886                 | 17,046  | 7        | 58,245                 | 12,666  | 6½       |
| 172,695                | 52,672  | 9           | 163,135                | 54,283  | 8½          | 100,780                | 37,292  | 8           | 46,260                 | 34,077  | 7½       | 36,675                 | 35,417  | 7        |
| 185,930                | 50,733  | •           | 121,326                | 22,382  | 6           | 113,484                | 29,302  | 6           | 210,702                | 34,191  | 6        | 162,936                | 58,014  | 6        |
| 87,368                 | •       | •           | 88,329                 | 21,714  | •           | 42,562                 | 16,850  | •           | 15,175                 | 3,300   | •        | 5,605                  | 2,110   | •        |
| 233,834                | 19,921  | 5           | 139,117                | 18,401  | 7½          | 150,164                | 48,766  | 8           | 125,060                | 34,087  | 8        | 84,696                 | 35,609  | 6½       |
| 174,538                | •       | 8           | 175,923                | 21,423  | 9           | 103,554                | 6,176   | 8           | 35,840                 | 8,760   | 7½       | •                      | •       | •        |
| 134,612                | 17,041  | 8           | 144,237                | 22,618  | 9           | 123,877                | 15,736  | •           | 94,844                 | 12,377  | 7½       | •                      | •       | •        |
| 115,504                | 17,570  | 7½          | 87,662                 | 18,728  | 8           | 95,601                 | 23,876  | 6           | 82,466                 | 22,488  | 6        | 41,292                 | 9,817   | 5½       |
| 254,300                | 25,615  | 10          | 274,667                | 28,823  | 10          | 165,147                | 24,257  | 9½          | 154,502                | 12,502  | 7½       | •                      | •       | •        |
| 91,320                 | •       | 10          | 100,020                | •       | 10          | 90,103                 | 14,433  | 10          | 121,420                | 10,011  | 10       | 53,270                 | 15,539  | 9        |
| 149,575                | •       | 9           | 63,150                 | 11,805  | 10          | 110,595                | 24,877  | •           | 126,004                | 20,941  | 8        | 92,878                 | 33,139  | 7        |
| 91,860                 | •       | •           | 118,786                | 14,806  | 9           | 110,414                | 17,145  | 8½          | 95,630                 | 7,138   | 7½       | 27,545                 | 975     | 3        |
| 312,590                | 100,479 | 8           | 388,416                | 100,992 | 8           | 387,086                | 53,810  | 8           | 118,549                | 43,252  | 8        | 60,422                 | 30,687  | 6        |
| 200,000                | 44,488  | 10          | 185,650                | 44,775  | 9           | 158,890                | 40,455  | •           | 133,500                | 26,427  | 8        | 31,500                 | 9,859   | 3        |
| 148,893                | 28,198  | 8½          | 166,079                | 28,480  | 8½          | 92,712                 | 25,440  | 7½          | 44,063                 | 15,103  | 6½       | 11,417                 | 18,582  | 5        |
| 72,924                 | •       | •           | 121,321                | •       | 9           | 126,328                | 22,255  | 10          | 121,432                | 25,437  | 10       | 87,288                 | 9,621   | 7        |
| 136,270                | 26,699  | 9           | 162,355                | 28,132  | 9           | 118,003                | 21,175  | 7½          | 91,257                 | 778     | •        | 19,090                 | 535     | 3        |
| 162,956                | •       | 8           | 135,780                | 28,346  | 8           | 114,808                | 21,842  | •           | 91,336                 | 11,419  | •        | 42,480                 | 806     | 4        |
| 111,974                | •       | 8           | 75,746                 | 5,709   | 8           | 77,441                 | 12,759  | 8           | 73,307                 | 10,915  | 8        | 44,287                 | 7,596   | 8        |
| 76,292                 | •       | 4           | 89,399                 | 17,025  | •           | 68,176                 | 11,135  | 8           | 27,756                 | •       | 2        | •                      | •       | •        |
| 108,406                | •       | 12          | 121,262                | 11,959  | 8½          | 104,279                | 10,035  | 7           | 108,522                | •       | 7        | •                      | •       | •        |
| •                      | •       | •           | 52,793                 | •       | 8           | 89,458                 | 12,615  | 8           | 85,363                 | 15,747  | •        | 59,418                 | 14,786  | 7        |
| •                      | •       | •           | •                      | •       | •           | 54,517                 | 36,213  | •           | 124,131                | 15,706  | 6        | 68,369                 | 396     | 4        |
| 5,349,297              | 596,405 | •           | 4,787,722              | 884,512 | •           | 3,853,866              | 806,919 | •           | 3,093,966              | 505,182 | •        | 1,384,325              | 374,705 | •        |

amount of notes which they have in circulation should be added to the above estimate, but we have no amount of their specie.

MADE TO THE LEGISLATURE OF PENNSYLVANIA.

| November, 1816.        |           |                   | November, 1817.        |         |                   | November, 1818.        |         |                   | November, 1819.        |           |                   |
|------------------------|-----------|-------------------|------------------------|---------|-------------------|------------------------|---------|-------------------|------------------------|-----------|-------------------|
| Notes in<br>circulat'n | Specie.   | Rate of<br>divid. | Notes in<br>circulat'n | Specie. | Rate of<br>divid. | Notes in<br>circulat'n | Specie. | Rate of<br>divid. | Notes in<br>circulat'n | Specie.   | Rate of<br>divid. |
| 995,245                | 534,238   | •                 | 627,549                | •       | •                 | 568,313                | 257,690 | •                 | 518,671                | 385,681   | •                 |
| 456,013                | 228,438   | •                 | 317,429                | 88,908  | •                 | 339,300                | 86,763  | •                 | 303,129                | 121,951   | •                 |
| 547,247                | 215,450   | •                 | 363,183                | 68,816  | •                 | 344,830                | 266,676 | •                 | 286,660                | 313,390   | •                 |
| 375,614                | 59,171    | 6                 | 291,858                | 54,676  | •                 | 120,353                | 37,353  | 7                 | 81,585                 | 77,193    | 4½                |
| 350,800                | 57,400    | •                 | 194,800                | 45,000  | •                 | 151,400                | 27,200  | •                 | 71,000                 | 27,500    | •                 |
| 307,275                | 7,065     | 8                 | 209,966                | 83,813  | •                 | 198,530                | 121,211 | 8                 | 173,370                | 164,922   | 8                 |
| 384,054                | 42,145    | 10                | 350,909                | 69,685  | 10                | 256,219                | 35,606  | 10                | 211,513                | 111,910   | 9                 |
| 3,416,248              | 1,147,907 | •                 | 2,355,694              | 410,898 | •                 | 1,987,945              | 832,499 | •                 | 1,645,928              | 1,202,547 | •                 |

## No. VI.

*Statement of the amount of loans made by the city Banks including the branches of the Pennsylvania and Philadelphia banks, to individuals during the following years.*

| Banks.              | November, 1814. | Nov. and Dec. 1815. | November, 1816. | November, 1817. | November, 1818. | November, 1819. |
|---------------------|-----------------|---------------------|-----------------|-----------------|-----------------|-----------------|
| Pennsylvania -      | no return       | 4,438,141           | 4,896,143       | 4,360,725       | 3,598,603       | 3,295,772       |
| Philadelphia -      | no return       | 2,524,288           | 2,372,231       | 2,020,314       | 2,073,959       | 1,920,637       |
| Farmers & Mechanics | no return       | 2,151,103           | 2,212,067       | 1,969,020       | 1,809,277       | 1,629,450       |
| Commercial -        | 1,178,561       | 1,809,719           | 1,343,358       | 1,808,107       | 1,220,100       | 1,164,096       |
| Mechanics -         | 735,100         | 1,248,300           | 1,047,600       | 905,800         | 768,700         | 552,500         |
| Schuylkill -        | 175,346         | 646,570             | 613,273         | 724,702         | 505,764         | 422,210         |
| B. of N. Liberties  | 232,767         | 747,536             | 714,424         | 676,521         | 596,943         | 497,094         |
|                     | 2,321,774       | 13,565,657          | 13,199,096      | 12,465,255      | 10,573,346      | 9,481,759       |

NOTE.—The amount of loans made and of notes issued by the bank of North America, and by Stephen Girard is not known, but some estimate may be formed by assuming the capital of the former at 830,000 dollars and that of the latter at 1,000,000 dollars. The same may be said of the Camden bank, the loans of which are supposed to be principally made in Philadelphia. This bank annoys the circulation of Pennsylvania by an extensive issue of notes of a less denomination than five dollars, the emission of which is prohibited by the laws of the state to most of its own banks.

## No. IX.

*Philadelphia, October 2, 1819.*

"The Committee appointed by a meeting of the citizens of the city and county of Philadelphia, held on the 21st August last, at the county court house, to make inquiries into the situation of the manufacturers of the city of Philadelphia and its vicinity, in 1814, 1816, 1819, beg leave to report—

"That they have performed the duty assigned them with as much attention as in their power; and regret that notwithstanding all their diligence, they have been able to procure the necessary information from only thirty branches of manufacturers, of which they annex the result."

| Branches of Manufactures.     | No. of hands employed. |      |      | Average value of their labor per week. |        |        | Value of goods manufactured per week |         |        |
|-------------------------------|------------------------|------|------|--|--------|--------|--------------------------------------|---------|--------|
|                               | 1814                   | 1816 | 1819 | 1814                                   | 1816   | 1819   | 1814                                 | 1816    | 1819   |
| Cotton -                      | 1761                   | 2325 | 149  | \$3 75                                 | \$3 67 | \$4 65 | \$                                   | \$27380 | \$     |
| Hosiery -                     | 96                     | 48   | 29   | 4 51                                   | 4 47   |        | 778                                  | 382     | 145    |
| Thread -                      | 444                    | 191  | 20   | 4 24                                   | 3 50   | 3 06   | 2690                                 | 1188    | 600    |
| Silver plating -              | 114                    | 210  | 30   | 9 00                                   | 8 00   | 6 00   | 3420                                 | 3200    | 1732   |
| Smithery -                    | 853                    | 750  | 149  | 9 00                                   | 8 00   | 6 00   | 15036                                | 18500   | 1675   |
| Coach making -                | 220                    | 185  | 67   | 9 00                                   | 9 00   | 8 00   | 5600                                 | 4625    | 629    |
| Chemicals -                   | 71                     | 52   | 16   | 6 63                                   | 7 55   | 6 44   | 5479                                 | 2755    |        |
| Hatting -                     | 134                    | 172  | 60   |  |        |        |                                      |         |        |
| Carving and Gilding -         | 62                     | 121  | 24   | 7 50                                   | 8 50   |        |                                      |         |        |
| Potteries -                   | 132                    | 132  | 27   | 5 48                                   | 5 48   | 5 83   |                                      |         |        |
| Tobacco pipes -               | 33                     | 33   | none | 4 17                                   | 4 17   |        |                                      |         |        |
| Printing ink -                | 5                      | 5    | 1    | 7 00                                   | 7 00   | 7 00   |                                      |         |        |
| Book printing -               | 198                    | 241  | 170  | 7 70                                   | 7 21   | 5 83   |                                      |         |        |
| Type foundry -                | 74                     | 90   | 42   | 4 35                                   | 4 32   | 4 46   |                                      |         |        |
| Brass foundry -               | 300                    | 240  | 80   | 6 33                                   | 6 00   | 5 00   |                                      | 2800    | 800    |
| Wire factory -                | 60                     | 22   | 6    | 6 67                                   | 7 00   | 7 50   |                                      |         |        |
| Floor cloth manufactory -     | 50                     | 30   | 25   | 6 00                                   | 6 00   | 4 50   |                                      |         |        |
| Woolen -                      | 1310                   | 1226 | 260  | 3 12½                                  | 3 12½  | 3 12½  |                                      |         |        |
| Iron castings -               | 1093                   | 1152 | 52   | 6 44                                   | 6 62½  | 11 54  |                                      |         |        |
| Paper making, 95 vats -       | 950                    | 950  | 175  | 5 00                                   | 5 00   | 5 00   |                                      |         |        |
| Copper smith's and tin ware   | 77                     | 77   | 35   | 5 75                                   | 5 75   | 2 00   | 2272                                 | 2272    | 381 25 |
| Gunsmithery -                 | 154                    | 124  | 93   | 7 23                                   | 3 75   | 8 67   | 2567                                 | 2145    | 1759   |
| Cabinet making -              | 180                    | 250  | 70   | 7 00                                   | 7 00   | 7 00   |                                      |         |        |
| Brush making -                | 65                     | 112  | 50   | 6 00                                   | 7 50   | 5 00   | 1560                                 | 2688    | 1200   |
| Plaster and Stucco -          | 120                    | 150  | 90   | 8 00                                   | 10 00  | 7 00   |                                      |         |        |
| Bricklaying -                 | 250                    | 300  | 150  | 9 00                                   | 10 00  | 8 00   |                                      |         |        |
| Patent lamp making -          | 6                      | 5    | 1    | 7 50                                   | 7 50   | 7 00   |                                      |         |        |
| Morocco leather, &c. -        | 68                     | 111  | 84   | 8 26                                   | 7 66   | 8 52   | 2581                                 | 5358    | 2548   |
| Rope making -                 | 110                    | 200  | 100  | 6 48                                   | 7 50   | 5 52   |                                      |         |        |
| Paper hanging & playing cards | 189                    | 168  | 82   | 2 70                                   | 3 36   | 3 08   |                                      |         |        |
|                               | 9188                   | 9672 | 2137 |  |        |        |                                      |         |        |

"The following is a list of the branches of business, on which we found it impracticable to procure the necessary information."

Shotmakers  
Plumbers  
Coopers  
Umbrella makers  
Bookbinders

Sugar bakers  
Chocolate makers  
Snuff & tobacco manufs.  
Carpenters  
Painters and glaziers

Manufacturers of gunpow-  
Shoemakers  
Engravers  
Stone cutters  
Glass manufacturers  
Brewers  
Tanners  
Curriers

Dyers  
Brick makers  
Chair makers  
Glovers  
Embroiderers  
Calico printers  
Turners  
Wheelwrights, &c. &c.

"It is obvious that these branches must have partaken of the general decay of business—but it is impossible to ascertain in what proportion.

"We do not pretend that the above statements are critically exact. It is obvious, that it would be hardly possible to render them so, unless they were collected officially by public authority. But from the characters of the citizens who have furnished our data, we can confidently assert, that if there be any errors, they are neither numerous nor important; and that any slight excess in some is amply counterbalanced by deficiencies in others; of the latter description some have already fallen within our knowledge."

*Analysis of Table No. 9.*

|                  | Average of<br>1814 & 1816 | 1819.     | Diminution. |
|------------------|---------------------------|-----------|-------------|
| Persons employd. | 9,425                     | 2,137     | 7,288       |
| Weekly wages     | \$58,340                  | \$12,822  | \$45,518    |
| Wages pr annm.   | \$3,033,779               | \$666,744 | \$2,366,935 |

*A statement of the comparative extent and value of the Manufactures of Pittsburg and vicinity in the year 1815 and 1819, viz.*

| MANUFACTORIES.  | Number of hands<br>employed in 1815. | Value of the<br>manufactures in<br>1815. | Number of hands<br>employed in 1819. | Value of the<br>manufactures in<br>1819. |
|---|--------------------------------------|--|--------------------------------------|--|
| Steam engine factories  | 290                                  | \$300,000                                | 24                                   | \$40,000                                 |
| Foundries & iron castings.  | 163                                  | 190,000                                  | 40                                   | 80,000                                   |
| Iron and nail factories   | 63                                   | 241,200                                  | 30                                   | 40,500                                   |
| Blacksmiths and white-smiths  | 90                                   | 90,000                                   | 39                                   | 40,000                                   |
| Glass manufactories and glass cutting*  | 169                                  | 235,000                                  | 40                                   | 35,100                                   |
| Hat manufactories   | 69                                   | 122,000                                  | 30                                   | 50,200                                   |
| Woolen manufactories & hosiery  | 63                                   | 48,500                                   | 16                                   | 16,150                                   |
| Saddlers  | 68                                   | 90,100                                   | 28                                   | 36,000                                   |
| Brewers   | 28                                   | 91,050                                   | 18                                   | 35,000                                   |
| White & red lead factor's   | 25                                   | 110,000                                  | 9                                    | 35,000                                   |
| Tobaccoists   | 48                                   | 45,850                                   | 27                                   | 27,550                                   |
| Brass foundries   | 35                                   | 49,633                                   | 12                                   | 11,700                                   |
| Ropemaking  | 18                                   | 30,000                                   | 15                                   | 15,000                                   |
| Saddletree factories  | 28                                   | 29,900                                   | 12                                   | 14,000                                   |
| Tin factories and copper-smiths   | 100                                  | 200,000                                  | 40                                   | 45,000                                   |
| Chair factories and cabinet making  | 66                                   | 90,000                                   | 40                                   | 24,500                                   |
| Silverplating   | 30                                   | 32,450                                   | 8                                    | 8,500                                    |
| Cotton factories  | 42                                   | 42,000                                   | 0                                    | 0  |
| Plane making  | 20                                   | 25,000                                   | 10                                   | 9,500                                    |
| Wire weaving  | 10                                   | 12,000                                   | 7                                    | 6,000                                    |
| Wire making   | 8                                    | 21,000                                   | 0                                    | 0  |
| Button making   | 6                                    | 6,250                                    | 3                                    | 2,100                                    |
| Umbrella making   | 2                                    | 1,600                                    | 0                                    | 0  |
| Piano forte making  | 4                                    | 2,000                                    | 1                                    | 700                                      |
| Tailors   | 66                                   | 65,000                                   | 29                                   | 28,500                                   |
| Shoemakers  | 140                                  | 125,500                                  | 50                                   | 49,000                                   |
| Patent balances; scales and steel-yards   | 10                                   | 10,000                                   | 4                                    | 3,500                                    |
| Yellow queensware   | 9                                    | 10,000                                   | 0                                    | 0  |
| Pipe making   | 3                                    | 1,800                                    | 0                                    | 0  |
| Linen factory   | 20                                   | 25,000                                   | 0                                    | 0  |
| Wagon making & wheelwrights   | 40                                   | 40,000                                   | 20                                   | 18,500                                   |
| Paper making  | 50                                   | 40,000                                   | 30                                   | 30,000                                   |
| Auger makers, bellows makers, cotton spinners, weavers, curriers, cutlers, locksmiths, spinning machine makers, tanners, tallow chandlers, pattern makers, silver-smiths, gunsmiths and soap-boilers. | 175                                  | 195,000                                  | 90                                   | 130,000                                  |
| <b>Total</b>  | <b>1960</b>                          | <b>2,617,833</b>                         | <b>672</b>                           | <b>832,000</b>                           |

\*On Flint glass alone, the reduction has been \$75,000.

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"In this city and vicinity, there are, it appears, 7,288 persons thrown idle. And it is far from unreasonable to presume, that on every person thus deprived of employment, at least two other persons depend. Hence it follows that no less than 21,864 persons are bereft of maintenance in thirty branches of business, in one single district of no great extent, not forty miles in diameter."

(Signed) GEORGE SUTTON,  
HENRY DOANE,  
ROB. PATTERSON, } Committee.

Pittsburg, December 24, 1819.

**AMERICAN SILK—No. 11.**

Having endeavored to show, in the preceding numbers, the advantage that will result to the U. States from the mere preparation of raw silk for exportation, I shall now proceed to point out the course which the silk business will probably take, and the prospects that it holds out, if the plan that I have suggested be followed—until America shall at last become, what sooner or later, it is destined to be, a rich silk growing and silk manufacturing country.

The business of raw silk will have to be exclusively followed, until in process of time (how long and how short, will depend on the degree of activity and industry that shall be applied to it,) there will be enough of that material in the country to warrant the diverting some part of it from the channel of exportation, to the establishment of manufactures at home. If it be true, according to my calculation, which I submit, however, to those who are better informed, that raw silk may be made here at the average cost of three dollars a pound, and immediately sold on the spot, to the agents of the foreign manufacturers, for six or seven, there will be no very great reason to wait with anxiety for better times.

Better times, however, will arrive, and America will have manufactures of her own, which will, in time rival those of the old world, and perhaps surpass them. It is fit to observe here, that those manufactures will have a great advantage over those of cotton and wool, in this, that they will not want to be supported by prohibitory or even by protecting duties. For, as it is a fact that cannot be denied, that the American cocoons produce one-third more of silk, and of a finer quality, than those of Europe, no manufacturers in the world will be able to stand in competition with those of the United States, who will be able to offer at the same time cheaper and finer goods.

This is a prospect which cannot fail of being realized, if a rational and regular plan be but steadily pursued.—Let us see how it will work.

*Thrown silk*, as well as raw silk, is also an article of exportation. The manufacturing nations of Europe, particularly Great Britain, purchase it, as we have seen, though not to the same extent as the raw material, because they make it themselves. The making of *thrown silk* will be the first step of the United States towards manufactures. The American women will by that time be accustomed to *handling silk*, and will be prepared for the new operations which they, chiefly, will have to perform. It will not be improper here to give an idea of what these will be.

It might be expected that some of my impatient readers exclaim in this place, "When shall we then begin to make *sewing silk*—sewing silk that we have so long considered the *alpha* and the *omega* of the silk business, and in the making of which our Connecticut women have been so long and so industriously employed?" To this question I answer, that the time for making sewing silk is not yet arrived; that thrown silk must be made before sewing



silk or even sewing twist are attempted, because sewing and twist are nothing else than the *perfection of thrown silk*, as I shall presently demonstrate. As to the Connecticut ladies, I think I can foretell, without pretending to the gifts of a prophet, that they will, of their own accord, abandon that domestic manufacture; and for this simple reason that they will find a more profitable way of employing their cocoons. This assertion, I am sensible requires proof; and I am going to give it.

I have never been in Connecticut, and I do not know, either of my own knowledge or by hearsay, how many pounds of cocoons are employed there to produce one pound of sewing silk. I believe, however, that it is not less than fifteen or sixteen pounds. If I am mistaken I shall be glad to be set right, but I think it will be found that I am not far from the mark. Of the price of this silk in the New York market, I am well informed by an American merchant of great respectability in that city, and I cannot state it better than by giving an extract of his letter to a friend of mine, dated, the 31st of July last:

"The Connecticut silk has been, to a considerable amount, brought to this market. The first sales were at four dollars per pound. It is now dull in this market, but is *exchanged for goods* at the rate of two dollars and fifty cents a bunch, consisting of 100 skeins, or say about 6½ ounces pure silk."

The result of this information is that 13 ounces, or one pound and one ounce, of Connecticut sewing silk, produce at New York, *in barter for goods*, the sum of five dollars; which, allowing for the profits of the merchant, who is at the same time buyer and seller, does not, I believe, exceed the price of four dollars a pound in ready money. The first sales, says my friend's correspondent, were at four dollars a pound, but the article is now *dull* at the price for which it is given *in barter*. Four dollars a pound may therefore be considered as the maximum price, in ready cash, of this Connecticut article.

Taking this for granted, I shall proceed to show that the ladies of that state will make a greater profit by selling their cocoons than by manufacturing them into sewing silk. I say nothing of *twist*, which it is well known in general sells for as much as sewing silk, and consequently makes a difference in the average price of the two articles. I shall suppose four dollars to be the price of both.

Now, I have said before that I believed that cocoons might be purchased for 25 cents a pound, and that is indeed the lowest price for which good cocoons may be expected to be given. That being the case, sixteen pounds of cocoons, which I have supposed and believe to be employed in the manufacture of one pound of Connecticut silk, will produce at that price exactly *four dollars*, so that the cost of dyeing and the labor of manufacturing, which I estimate to employ at least ten days for each pound of silk, will be a clear gain to the fair manufacturers. I consider therefore that they will find it their interest to sell their cocoons, instead of manufacturing them into sewing silk or twist, and that they will act accordingly.

If, however, those ladies, for their amusement or otherwise, should be inclined to continue their innocent and useful occupation, that they may be indulged in *wasting* fine silk, which might, as I have shown, be otherwise better employed; but no ill consequence will result from it. As soon as a regular market price shall have been established for American cocoons, enough will be raised to supply the demand, and a scarcity will not be produced by the manufacture of a few hundred pounds of sewing silk.

I find I am treading close upon the limits which I have prescribed to myself for this number; I am, therefore, obliged to postpone what I have to say on the subject of *thrown silk* to the next. I regret that these essays have been drawn out to a greater length than I at first expected; the candid reader, however, will do me the justice to say, that I have kept as close to my sub-

ject as has been in my power, and that I have never yet lost sight of the object that I had in view. It is a duty which every writer owes to the public, and the obligation of which I have always had before my eyes.

J. D'HOMERGUE.

Philadelphia, 1st Sept. 1829.

## MR. M'ILVAINE'S CHARGE TO THE GRAND JURY.

*CHARGE delivered to the Grand Jury of the Mayor's Court of Philadelphia, Sept. 7th, 1829, by JOSEPH M'ILVAINE, Esq. Recorder of the City.*

It is with no hope of making plainer the meaning of the solemn oaths and affirmations you have just now entered into—or of adding to the obligation they impose upon your consciences that the court now address you. Nor are we prompted by the belief that any remarks from the bench are necessary, to stimulate your zeal for the public service, to strengthen your respect for private right, or to enlist your faculties for an honest, fearless and persevering discharge of the duties devolved upon you. The character of the gentlemen who compose this inquest; their standing in society; their deep stake in all that affects the welfare of the community, taken in connexion with all former experience of the conduct of Grand Juries in this city—afford a sufficient guaranty to the Court and the Country, that your enquiries into the subjects entrusted to your care, will be prosecuted with diligence, and terminate in truth—that into the circle of your deliberations, the evil influences of envy and malice will find no admission; that by no suggestion of unmanly fear; by no temptation to unlawful gain; by no yearnings of misplaced affection will you be seduced from the path of duty—but that in the genuine spirit of the oath you have repeated, you will present all things truly according to the best of your skill and understanding.

To increase this skill by the explanation of technical points; to inform this understanding upon matters of detail; to trace the limits and maintain the landmarks of criminal jurisdiction; and to bring to your recollection such interesting subjects connected with the public service, as in the hurry of other avocations you may have failed to notice, is the legitimate province of the Court, and such will be the object of this address.

The Jurisdiction of a Grand Jury may be said in general terms, to extend to every thing which affects the peace, good order and wholesome regulations of society, which hazards or violates the security of person or property; which tends to the production of public inconvenience—or to relax the tone of public morality. When circumstances of this sort, assume some specific form to which the law has given a name and assigned a punishment, and when the guilt they involve may be traced home to a particular individual, it becomes the duty of the Grand Jury after proper investigation to return to the Court such an indictment or description of the offence, as may enable them to proceed to trial and punishment. Without such previous investigation, and indictment, until the seal of the Grand Jury has been affixed to the probability at least of the misconduct alleged—no man in this country can be called to the bar of any court having criminal jurisdiction. Hence the importance, the responsibility and the dignity which common consent as well as the common law has ever attached to the station you occupy.

It is the duty of the prosecuting officer of the commonwealth to furnish you with indictments properly drawn, for the several offences subject to your cognizance which have come to his knowledge, and with the testimony upon which the complaints have been founded. In the examination of this testimony you will find occasion for the exercise of all your sagacity, industry and caution, so that your conclusions may be the result of conscientious conviction and not of prejudice, conjecture or suspicion. As a general rule you will confine



yourselves to the evidence thus regularly furnished with the bill of indictment. If that evidence satisfies your minds either that a reasonable ground of accusation exists—or that the allegations of the indictments are not sustained—you will signify the former by *finding* the bill as it is technically called—or the latter, by returning it endorsed *ignoramus*. If however it shall happen, that some facts developed in the course of this evidence, require further explanation in order to decide their bearing—or if they lead to the knowledge of other sources of information not previously explored—in consequence of which your minds are embarrassed and your judgments necessarily suspended, you will then be at liberty by application to the Court for the aid of its process to seek such additional testimony as may relieve your doubts—with this distinct caution however, that as mere matter of defence—in answer to or in contradiction of facts once clearly proved you can hear no witnesses. This rule flows naturally from the principle, that the finding of a Grand Jury is not intended to establish the guilt of the accused, but merely asserts its *prima facie* existence and justifies the law, ever tender of the reputation of a citizen, and ever unwilling without sufficient cause to place it in jeopardy, in proceeding to the formality, and painful exposure of a public arraignment. If all the testimony usually produced before the petit jury, were admitted to the chamber of your secret session, your finding in its influence on the character of the accused, would be fully equivalent to a verdict of guilty. He would undergo the condemnation of public opinion without those advantages of a public trial by his peers; himself being present, to confront the prosecutor and cross-examine the witnesses, which to the character, as well as to the person of every individual, the constitution has secured.

To the finding of a bill it is absolutely necessary that twelve at least of your number shall agree; and in all cases where a less number assents, your return as a matter of course must be "*Ignoramus*."

In all cases of indictments for misdemeanors returned "*Ignoramus*" or in other words for offences below the degree of felony, which you may always distinguish by the omission of the word *felonious*, in the statement of the charge, you have the power and it is your duty to decide and endorse upon the bill, whether the costs shall be paid by the county, or by the prosecutor. If you inflict the costs upon the prosecutor, you must distinctly name him in your endorsement, so that the Court may be enabled without delay to execute the sentence.

This control over the costs, vested in the Grand Jury, is among the most valuable improvements which our Legislature has made, upon the rules of the Common Law, and the most salutary effects have always followed its judicious exercise. It is a weapon placed in your hands for the punishment of those, who frivolously or maliciously institute prosecutions, and who strive to wrest the arm of the law to their own purposes of interest or vengeance. By giving to the provision its full scope and efficacy, in all those cases where the ground of complaint is obviously trifling, or the prosecution has clearly proceeded from malice and falsehood, you will do much to lessen the business of this court, to save the poor from unnecessary and ruinous attendance on its sessions, and to break up that system of private warfare, which among certain classes of the community, has been too frequently carried on at public expense and under the mask of public justice.

Your power over offences is not confined to those for which bills of indictment are in the first instance furnished by the prosecuting officer. If the investigation of facts connected with such cases, shall lead to the knowledge of other crimes or misdemeanours of which no notice has yet been taken, or if the perpetration of an offence be within the private knowledge of any one of your number, it is your duty to present a statement to the Court, who will cause an indictment to be framed and submitted for your sanction.

So much for the special or what may be styled the retributive jurisdiction which belongs to your office. There is another branch of your authority, which may be distinguished as general and preventive.

Selected as you have been from the general mass of society, without reference to any consideration but your character and respectability, embracing within your number, individuals of various professions, talents, and pursuits—each of whom can furnish his due quota of observation and experience, you necessarily combine a large fund of knowledge upon all subjects connected with the common good. Upon these subjects it is expected of you to interchange sentiments, compare facts, and elicit evidence—and whenever it shall appear, that benefit may be produced or evil averted, by timely warning to the officers of justice, by an effort to stimulate public opinion, or to awaken the community to a sense of danger—it is your duty in the usual form of a presentment to the Court to make known your opinions. The practice of officers employed in the various departments of the public service—the police regulations of our city and neighbourhood—the operation of particular laws, ordinances, customs or habits—the existence of public inconveniences, the want of public improvements are familiar instances in point. Under this head may be classed, the duty which is expressly enjoined, to visit the several prisons of this city and county, inspect their condition, ascertain that the humane and salutary regulations provided for their government be duly enforced, and to make a report to the court on the whole subject before the close of your session.

To this general authority of a censorial kind with which Grand Juries are invested, no limit is prescribed by either law or convenience, except such as your own discretion and judgment will plainly dictate. Your supervision extends over the whole surface, and pervades the whole structure of the social system, and you should be prompt to mark, and fearless in exposing every instance of mismanagement, malpractice or neglect, which may become the source of injury or inconvenience.

On some occasions, Grand Juries have even extended their scrutiny to such leading measures of our state and general government, as have a necessary influence upon the morality or happiness of the country. Such appeals to be effectual, should of course be rare, and should be reserved for occasions of such magnitude and interest, as to justify a departure from the usual routine. Especially it is necessary, that by no act or expression, Grand Juries should interfere, or subject themselves even remotely to the suspicion of interfering with party politics. We are led to this remark by the prevalence of a practice in several parts of our country—though never it is believed in this city, of balloting in the Jury room, between the prominent candidates for some disputed office, and then publishing the result, that it may count for as much as it is worth in deciding the contest. In principle it is wrong, that they whose especial office it is to overlook all others, and to confine each element of society and of government to its proper sphere, should thus voluntarily and frivolously transcend the limits of their duty. It is an offence against the constitution, for any body of men, to bring the influence of their office however remotely to bear, on the freedom or the result of popular elections. It is still more mischievous in its practical operation, because it strikes at the root of all just confidence, in that noble institution, which is at once the boast of our law, and the corner stone of our liberty. We have all lived long enough to realize the injurious effects of party spirit, how it blights the affections, darkens the judgment, confounds the distinctions of right and wrong; how insidiously, and almost against our consent, it steals into the heart & gains the controul over thought and action—how little we ought to trust ourselves—how still less we are disposed to confide in others, when acting under the influence of this delusion. We may all live to witness some tornado of popular feeling, such as this nation has never experienced, but such as have

swept & desolated other countries, which shall direct its fury not merely against the men & measures, but against the fundamental principles of the existing government. If so we shall appreciate the value of perfect purity in our courts of justice, of perfect exemption from the contagion of party. We shall fly to them as to the constitutional shelter from the violence of the storm. If we shall find them occupied at such a moment by the agents of party, and not by independent ministers of justice; may we at least be entitled to comfort from the reflection, that no agency of ours has contributed to the change.—Should the majesty of the people and the majesty of the law, go forth to bow themselves in the house of idolatry—let them not “lean upon our arm,” or plead our example.

The Grand Juries which attend this court, are restrained by a special provision of the Legislature from taking cognizance of those offences of the deepest dye—such as Homicide, Burglary, Arson and the like—which adopting the phraseology, without its full meaning, of the English Law, we call Felonies of death. All the offences below that grade, are the subjects of indictment and trial in this court. It is of course expected that your judgment upon them, will be governed by those rules and definitions, by which the law has distinguished each from the other, and a regard to which is necessary, in order that each may be assigned its appropriate punishment. For such rules and definitions, you will naturally look to the Court, whenever a difficulty arises in your minds.

At present some observations will be made upon two of those offences only.

Larceny is defined by Blackstone to be “the felonious taking and carrying away of the personal goods of another”—a more comprehensive definition, and one better suited to modern views of the subject, describes it as “the wrongful or fraudulent taking and carrying away by any person of the mere personal goods of another, with intent to convert them to the taker’s own use, and make them his own property without the consent of the owner.” The elements which compose this crime, and in the absence of any one of which it cannot exist—are 1st. the fraudulent taking, by an actual separation of the goods from the possession and control of the owner, with a fraudulent and felonious intent conceived and operating at the moment of the taking. If the first taking were not accompanied by such intent, no subsequent intention to cheat or defraud will make it Larceny. 2d. The carrying away, which is made out by any removal of the property from the custody of the owner, or from the place where it was deposited, however, slight the change of place may be. 3d. The thing taken must be a personal chattel—under which our law now includes not only money and goods, but almost every species of written contract for the payment of money, or having a pecuniary value. Things attached to real estate such as grass, timber and the like, are not the subjects of Larceny, unless before the taking, they have been severed from the soil or realty—which makes them personal chattels. The wrongful taking of animals naturally wild and still unreclaimed, is not Larceny, because the law does not recognise them as property. So of dogs and other animals kept for mere pleasure, because although a species of property may be held in them, they are yet regarded as of no intrinsic value. Fourthly—The taking must be against, or at least without the consent of the owner. It is in settling this point of consent, that the great difficulties of the Law of Larceny have arisen. The Common Law from which we derive most of our definitions and distinctions of crime, had its origin at a period, when the state of society was less refined—and the motives, pursuits, and mutual relations of individuals less complicated and artificial than at the present day.—In those times, direct, undisguised force, was the agent generally relied upon for the perpetration of crime—and hence almost every common law definition of an offence, looks to that force as a ne-

cessary ingredient, and as the best standard for determining the motive. Subsequent advances in knowledge, politeness, refinement and luxury, have tended to substitute skill for strength—art for mere muscular exertion, in every department, and in none more emphatically than in the tactics and appliances of habitual dishonesty.

It was not long therefore, before a class of cases, intruded themselves on the notice of Courts, in which the moral taint, and the felonious intention of the crime of Larceny seemed to be present—but where the chattel in question having changed hands by the apparent if not the actual consent of the owner, he being deceived by false representations or pretences, the *letter* of the Common Law definition could not include them. It is matter for regret, that upon the first occurrence of such a case, the aid of the Legislature was not invoked, and some fixed provisions obtained, to amend the Common Law and adapt it to the altered exigencies of justice. The want of such assistance, and the anxiety of courts to prevent artful offenders from evading punishment, led them into the doctrine of constructive force, or more properly, induced them to construe the consent of the owner when fraudulently obtained, as in legal contemplation no consent at all. The first step of this kind involved no great violence of construction, and was therefore adopted with little apprehension for its consequences; but as the Courts gradually advanced from case to case—tempted in each instance by a laudable zeal for the ends of justice, they departed further and further from the letter of their authority, until original principles were lost amidst subtle distinctions, until in fact, the legal boundary between felony and fraud, between larceny and breach of faith—became a vanishing line, which the Jury must fix in each particular case, according to their own abstract notions of moral guilt or of an offender’s demerits.

Thus stood the law of larceny in Pennsylvania, until about three years ago when the case of the Commonwealth against Lewers, was removed by writ of error from this Court into the Supreme Court. The late venerable and learned Chief Justice, entered upon the subject, with that singleness of purpose, with that freedom from the shackles of prejudice or false precedent, which rendered his services so inestimably valuable, and he laid down a rule, by which Courts and Juries must in future be restrained, with a clearness that cannot be mistaken and yet with a caution that avoids the appearance of sudden change. The rule is, that where the owner of goods parts with the possession for a particular purpose, and the person who receives possession avowedly for that purpose, has a fraudulent intention to make use of the possession as the means of converting the goods to his own use, and does so convert them, it is Felony. But where the owner at the time of parting with the possession, means also to part with the property, to confer the dominion, the absolute control—no matter by what fraudulent contrivances he may have been induced to do so, it is no Larceny, it is at most but a cheat. To this simple rule we have nothing to add—except an assertion from the same venerated authority, that it extends the law of Felony, quite as far as is consistent with safety, and that Courts are bound inflexibly to resist all additional extension.

It is usual for our Courts when speaking of the offence of keeping a Tippling House, to explain to the grand Jury, its evil influence on the peace and morals of the Community, and pausing to survey the melancholy traces of the progress of Intemperance, to draw thence an argument for additional vigilance in detecting offenders, and increased rigour in enforcing the Penalty. In doing so they discharge a most important duty, and they seldom fail to excite in the minds of the Grand Jury a corresponding zeal, for this branch of the public service. On the present occasion the subject will be viewed under an aspect somewhat different.

The act of January 1819, imposing a penalty of fifty dollars, upon the retailers of vinous or spirituous liquors,

without a licence, and several acts of assembly which invest this Court with the control of Tavern Licences, and which prescribe certain regulations for the Government of Innkeepers—constitute the whole armour offensive and defensive with which Courts and Juries are sent forth to arrest the march of Intemperance. In the use of these means, they are bound by every consideration of duty and of interest to be vigilant and active. It is especially the duty of the Court, to exercise great caution in the granting of Licenses, to check their increase, and as far as is consistent with justice to individuals to diminish their number—to listen with attention to every complaint of irregular conduct, and promptly to visit each instance of irregularity with its appropriate discipline.—From this vigorous co-operation of Courts and Juries considerable benefit to the public may reasonably be expected certainly enough to kindle the ardour of all concerned in the administration of justice. But still the benefit like the means must necessarily be partial—it must be confined to the vindication of external decency—it cannot reach that radical disease in the moral constitution of the community, which has been so properly styled the parent of all crimes. The unassisted arm of law—the mere force of punishment have utterly failed—they must ever fail to check the evil. In defiance of these, it has continued to extend with portentous rapidity—multiplying its victims in a ratio far exceeding the increase of our population—until a question has arisen of serious urgency—whether our country henceforth shall be really free—or shall yield to a despotism which while, it subdues her energies and exacts an enormous tribute of her wealth, is annually conducting thousands of her citizens to an ignominious grave

Reflecting men—are not without reason, alarmed at the prospect before us. The morals of the nation—the stability of our institutions—the character of the republic—are all in jeopardy. Were we told that an invader had landed on our coast, or that a malignant pestilence was “working in darkness” through the streets of our city—we should have no stronger reason for serious apprehension. Search for a moment the statistics of Intemperance—take the census of its acknowledged bondsmen—make out the yearly bill of its mortality—bid your poor rates and madhouses and Penitentiaries deliver their testimony—call over the Court roll—and inspect the tenantry of the Grave—gather from these sources—materials for a history of all the desolation it has carried into families—of all the corruption it has spread through society—and answer then, whether sword and pestilence, do not dwindle by comparison into visitations of mercy—whether the cry of humanity—and the demand of patriotism be not unanimous for a remedy—instant and radical. For such a remedy you will search our statute books in vain. But in the same books you will find it recorded—that this poison tree intemperance—this mortal upas—which corrupts the atmosphere, was planted by the permission at least, if not under the sanction and protection of law, and that only for the removal of some truant branch, which may shoot too wildly from the parent trunk, are Courts and Juries permitted to interfere. If you would lay the axe to the root of the tree, you must ascend beyond the source whence Courts and Juries derive their power—and invoke that highest and only absolute of all earthly tribunals, public opinion. You must enlist the whole thought and feeling and influence of the temperate in the cause—you must frown upon intemperance in all its approaches—you must make it disgraceful in all its degrees—you must restrain what is micalled the *temperate* use of ardent spirits—and then though there be little hope that the drunkard from habit will turn from his wickedness and live—it will be almost certain that no temperate man will turn from his soberness and die.

But we are asked is not public opinion already arrayed against the sin of Intemperance? No: absolute drunkenness—beastly intoxication is indeed universally re-

probated. But is there no intemperance without intoxication? Is there no deadly fever without delirium?—The intemperance of this nation has arisen and grown under the express licence of that public opinion, which meddles not with the *victim* till he is hopelessly lost—and then cries out at the horror of his end—which sees with indifference the temperate man enter the atmosphere of contagion—which sees him receive the poison into his blood—and countenances the deed, nay, which smiles upon the social spirit and manly freedom, from which it is supposed to originate. In other words, to take the first steps in the way of intemperance, to advance farther and farther towards its end, to be in the habitual use of the very means, and to throw open the door to the very temptation by which every wretch that has filled a drunkard's grave was originally ruined, is sanctioned by the current thought and feeling of the community. It is not until habitual indulgence has proceeded to intemperance and intemperance to drunkenness; it is not until the infection long burning in the veins, has burst forth upon the surface, till the body bloats—the speech falters, and the brain raves, it is not until every faculty of reason, every trace of the Creator's image has been obliterated, and a brutal and degraded instinct which craves for drink, has become the only rule of conduct, the only motive to action, that public opinion expresses its disgust. If it would operate with advantage it must take its stand where intemperance begins, if it would speak with effect, it must address its denunciations to those, who have yet ears to hear, hearts to feel, minds to comprehend, and freedom to obey. It must erect its barriers in front of the pathway that leads to ruin, it must cry aloud at the entering of the gate, and warn the passenger to beware of the danger.

In this view of the subject, certain recent associations for the promotion of temperance, which are rapidly extending, and will probably soon be established in every section of the country, are observed with great interest, by statesmen, philanthropists and judges. By no other agency can public opinion be properly arrayed, or its force be brought successfully into action, because none other is proportioned to the object desired. The power of truth, persuasion, example and reproof, which these Societies wield, is the only one suited to the nature of our institutions, or which a free people can be expected to tolerate. Experience thus far speaks much for their efficacy, so much that when we look at the vast magnitude of the undertaking, and the comparatively small means with which it was begun—when we examine the testimonies which the wise and the eminent are every day bearing as well to the success as to the benevolence of the cause—when we estimate the interest already kindled, and the acknowledged results already attained, we are justified in recommending these institutions, as the most potent of all antidotes for the prevention of crime, and therefore as the most valuable of all auxiliaries to the power of law, we are authorised to hope, that *their* influence in the order of providence may become so universal as to relieve this nation from its peculiar curse, that their principles and their practice may be visibly interposed, like the high priest with his censer, “between the living and the dead,” and that the “plague will be stayed.”

The present term of this Court, has more than usual interest from the circumstance, that the new Penal Code of Pennsylvania, which prescribes solitary confinement at hard labour for the more aggravated offences within our jurisdiction, has gone into operation since the close of the last session.

The Criminal Code of this Commonwealth, even in infancy, was remarkable for its exemption from cruel and sanguinary enactments, as well as for the introduction of a system of discipline combining at once strictness and humanity, and guarding against the evils of idleness by the novel introduction of labour into prisons, and by compelling the inmates to earn their maintenance.

The signal advantages which arose from this measure attracted great attention at a subsequent period, and caused its adoption in other communities. It was obvious, however, that the two great objects of all penal jurisprudence, the prevention of crime and the reformation of offenders, could not be accomplished while promiscuous intercourse among the convicts was allowed, an intercourse which divests punishment of its terrors, destroys every remnant of principle and of shame, precludes the hope of repentance or reformation, and reduces all the inmates of a prison to a common standard of incurable depravity. Humanity and policy alike demanded some alteration in a system which not only failed in suppressing offences, but was also the cause of a more wide-spread contamination. The necessity of a radical change was demonstrated to our citizens by the "Philadelphia Society for alleviating the miseries of Public Prisons," the first association established in Christendom for the benevolent and important purpose of ameliorating prison discipline.—by their arguments the legislature abolished the system of promiscuous associations which had hitherto prevailed in the jail of this city, and for the purpose of more effectually separating the convicts, authorised the construction of cells in which to test the efficacy of solitary confinement. These and many other improvements then introduced, constituted the celebrated Penitentiary System of Pennsylvania, the practical effects of which in diminishing offences attracted the notice of philanthropists in other states and in Europe, where our system was approved and imitated. After a few years, however, of unprecedented and astonishing success, this institution began gradually to decline, from the impossibility of enforcing the necessary discipline, in an edifice inadequate to the number of convicts it contained. The rapid decrease of its efficiency for some years past, has created alarm and led to inquiry. As a place of confinement it seems to have lost all its terror, and even to have been invested with some attractions, for the criminal and the dissolute. It has become a school of instruction for juvenile offenders, where every thing may be learned, from the first rudiments of vice to the highest point of perfection in crime. The convict leaves its walls, not only unreformed, but fixed in his determination ever after to deprecate on that society whose inflictions have deprived him of all taste for honest industry, and obliterated every motive to a virtuous life.

These miserable consequences are attributed not to mismanagement in the Inspectors or Keepers of the Penitentiary, but to that constant intercourse among prisoners by night and day, which, within an edifice of moderate extent crowded to excess with all kinds of culprits, cannot be avoided. It is thought, therefore, that a system of separate confinement, united with employment and religious instruction, will go far to reach the root of the evil—that the contamination of bad precept, and bad example will be prevented—that shame and remorse, unchecked by ridicule, may produce repentance—that even stern impenitence may yield to the voice of kindness, and the precepts of religion when they fall in whispers on the solitude of a dungeon—that those in whose hearts no reform may be effected, will yet be induced to amend their conduct, by durable impressions of the severity of punishment—and that the sufferings and example of all, will be a general warning to deter others from imitating their offences.

These theoretical opinions in favour of the "Pennsylvania System of Prison Discipline," are supported, as its advocates allege, by that unerring test of the value of all institutions, long and varied experience. They aver that the problem has been solved, not only in the closet of the philanthropist, but in the existing discipline of numerous prisons in various parts of Christendom—prisons in which offenders of every age and of every degree are confined, with the same unvarying result, a more extensive reformation of the convict, and a more salutary operation on Society, than has followed any other pun-

ishment which the wisdom of the lawgiver has yet devised. While they acknowledge that failures have occurred in some cases, the result is attributed not to the system itself, but to obvious defects in its administration—and finally they challenge the production of an instance where, with suitable precautions, the system has not effected all that its advocates demanded.

Such are the sentiments of a large number of our most respectable and intelligent citizens, whose long experience, valuable opportunities of observation, and unquestioned benevolence of purpose, entitle them to great influence over public opinion. Such are the doctrines whose correctness or error will be unanswerably established, by the practical operation of the new Penitentiary for the Eastern District of Pennsylvania. Candor and courtesy to the advocates of the system—justice to ourselves, to the reputation of the Commonwealth—and to the whole class of culprits, equally require that the experiment be fully, patiently, and impartially tried, that the respectable and public spirited gentlemen having charge of the institution, should receive from public sentiment that just and effective support; that kindness of construction, both as to their motives and their actions, for which the wisest and the best, when struggling with the difficulties of a new undertaking, have constant occasion. For our own part we cherish a sanguine hope, that this change in our penal regulations will be eminently successful. We entertain no doubt that it is a decided improvement on former practice; and we believe that, though it should not realize immediately the expectations of its promoters, it must develop so many latent springs, and afford such opportunities of useful experiment, that our code of punishments may finally be brought to a degree of perfection corresponding with the advances this country has made in other departments of government and law.

The Court, gentlemen, having now concluded their remarks, the individual who has spoken as their organ, begs leave to add a single observation.

He has felt strongly the embarrassment of his situation to day, and would gladly have omitted the business of instructing others, while he himself, as to the practice of his office, is yet a pupil. For his conduct on this bench he has no pledge to give, but that which is recorded in his oath of fidelity to the Constitution and the Law. If he has formed resolutions for the government of his conduct—if he has erected for himself a standard of excellence, or a mark for ambition, let their character be judged by the fruits they may produce. If among these fruits shall be numbered an industrious and upright discharge of duty—a resolute disregard of all consequences merely personal—patience in hearing and caution in deciding—courtesy to the bar, and becoming deference to the opinion of his associates—though he may have established no title to praise—he will claim indulgence at the hands of the public.

#### INFANT SCHOOLS.

The attention of the public is invited to the following statement of facts relative to the Infant School Society of the city of Philadelphia. This Society was organized in May 1827. Since that period, three schools for white, and one for coloured children, have been opened, and are now under its care. Several hundred infants are daily gathered into these nurseries of virtue. It is presumed to be unnecessary at this time to descant on the merits of this charity; a visit to these schools, and an examination of the system of instruction there adopted, will not fail to recommend it to the patronage of those who desire to see a moral, thinking people, rising around them. The annual expense of each school is not less than five hundred dollars, making an aggregate of two thousand dollars. The number of annual subscribers to the general fund is three hundred and eighty-three, producing an annual income of \$766 00 Proceeds from stock, 58 48

Proceeds from annual subscribers to the fund for the support of the coloured school, which is entirely distinct from the general fund, 103 00

Total, \$927 48

This total of nine hundred and twenty seven dollars and forty eight cents, presents the state of the funds of this interesting institution. A few legacies have been left to this society, which it is to be regretted, have caused several individuals to withdraw their support. It is but just to mention that the liberality of those who have so kindly remembered this institution, is to be enjoyed in future. The monies thus bequeathed are no present emolument. It is therefore respectfully urged upon this community to take the subject of Infant Education, in all its bearings, into serious consideration, which, it is believed, will result in the liberal support of these schools. Subscriptions and donations are respectfully solicited. Treasurer's residence, No. 357 Market-street.

The location of the schools is as follows:—

|  |   |
|--|---|
| School No. 1, Thirteenth-street, near Vine.            | } Visitors admitted on Tuesday and Friday mornings. |
| School No. 2, College Avenue, 10th st. above Chestnut. |   |
| School No. 3, Spruce-street, No. 20.                   |   |
| Colored School, Gaskill-st. No 60.                     |   |

Visitors admitted on Wednesday mornings.

#### UNIVERSITY.

The subjoined inscription was found on a scroll enclosed in the corner stone of the College (University of Pennsylvania) in Ninth street. The ink has faded—so much indeed, that the writing is almost illegible.

"The Congress of the United States having resolved to hold their sessions in the city of Philadelphia, a temporary provision for the accommodation of the President was made by the Corporation of the city, consisting of—*Mayor*, Samuel Poweil; *Recorder*, Alexander Wilcocks; *Aldermen*, Samuel Miles, John Barclay, Matthew Clarkson, John Nixon, Joseph Swift, George Roberts, Francis Hopkinson, Hilary Baker, Wm. Colliday, John Baker, Gunning Bedford, John M. Nesbitt, Reynold Keen, and Joseph Ball, Esquires:—and the General Assembly of the state of Pennsylvania granted money to purchase a lot and erect buildings suitable for the President. The following gentlemen were appointed commissioners to fulfil the intention of the law, who voluntarily offered their services without expense to the public—

"Richard Wells, Francis Gurney, John Hiltzheimer."

"This phial is handed to posterity as an experiment of duration; May, 1792."

The following is the notice of the ceremony of laying the corner stone—copied from the American Daily Advertiser of the 16th May, 1792:

"On Tuesday last the Governor of this state laid the corner stone of the President's house in 9th street. The following inscription is on the stone:

This corner stone was laid on the 10th day of May, 1792.

The state of Pennsylvania out of debt; Thomas Mifflin, Governor."

We believe that of all the persons named upon the scroll, as well as the Governor who laid the stone, not one is now living to witness the demolition of the building, which they probably supposed would exist for centuries: but which in fact has remained for only 37 years.

Large flocks of wild pigeons have, within a few days, passed over the Fair Mount Dam. Some of these flocks are described by the spectators as having been two or three miles long.

#### METEOROLOGICAL TABLE,

According to Fahrenheit, in the shade, the temperature of the weather at Mauch Chunk was as follows during the time specified.

| Date.           | From 5 to 7 o'clock A. M. | Noon. | Sunset. | Depth of Rain, inches. |
|-----------------|---------------------------|-------|---------|------------------------|
| August 1, 1829. | 67                        | 73    | 72      | .13                    |
| 2               | 64                        | 75    | 74      |                        |
| 3               | 64                        | 81    | 78      |                        |
| 4               | 68                        | 76    | 73      | .42                    |
| 5               | 62                        | 81    | 75      |                        |
| 6               | 68                        | 82    | 69      | 1.67                   |
| 7               | 68                        | 82    | 79      |                        |
| 8               | 67                        | 68    | 76      | .92                    |
| 9               | 66                        | 82    | 78      | .93                    |
| 10              | 64                        | 80    | 73      |                        |
| 11              | 52                        | 70    | 68      |                        |
| 12              | 48                        | 76    | 72      |                        |
| 13              | 57                        | 81    | 75      |                        |
| 14              | 64                        | 79    | 75      | .15                    |
| 15              | 62                        | 76    | 70      | .40                    |
| 16              | 59                        | 76    | 70      |                        |
| 17              | 66                        | 72    | 71      |                        |
| 18              | 75                        | 71    | 68      | .56                    |
| 19              | 53                        | 68    | 65      |                        |
| 20              | 52                        | 76    | 68      |                        |
| 21              | 50                        | 78    | 72      |                        |
| 22              | 55                        | 80    | 74      |                        |
| 23              | 58                        | 79    | 72      | .21                    |
| 24              | 56                        | 68    | 77      |                        |
| 25              | 66                        | 79    | 69      |                        |
| 26              | 52                        | 68    | 64      |                        |
| 27              | 50                        | 70    | 65      |                        |
| 28              | 49                        | 73    | 68      |                        |
| 29              | 60                        | 64    | 64      | .55                    |
| 30              | 54                        | 76    | 71      |                        |
| 31              | 58                        | 73    |         |                        |

Between 5 and 7—1854 is the number of degrees of the Thermometer during the month.

Days.

1854 ÷ 31 = 59 add before 6.

2343 ÷ 31 = 75 add at Noon.

2213 ÷ 31 = 51 add at Sunset.

3) 205

68 add mean average per day, during the month of August.

The quantity of Rain that fell—Inches, 5.73.

A gentleman near the Falls of Schuylkill set out this spring a number of slips of vine, two of which have actually produced a bunch of grapes each. In few seasons, we believe, have vegetation been so rapid as in the present.

We were presented last week, says the Chester Record, by Mr. Embree, of West Bradford, with an Apple, weighing one pound and a fourth. We presume there will not be found its equal in the country, for size and appearance.

The West-Chester Republican of Tuesday last says, we had the pleasure a few days ago of examining the production of a single grain of wheat, cultivated on the farm of Mr. Robinson Walker, of West-Bradford township, Chester county. There were one hundred and eleven stems, each bearing a head, containing in all 4083 grains, weighing five ounces thirty-two grains.

YORK, (PA.) SEPTEMBER 8.

We saw, last week, a squash measuring two feet five inches, and weighing twenty-seven pounds, which was produced on the farm of Mr. George Small, near this borough.

**EARLY FROST.**—Friday morning last there was considerable frost in the meadows and low grounds in this vicinity.

**HYDROGEN PLATINA LAMP.**

The Hydrogen Platina Lamp, now manufactured in this city, is a very ingenious contrivance for obtaining light; and, in addition, is a pretty ornament. The following description may convey some idea of the instrument:

A glass vase six or seven inches high, and three or four inches diameter, painted and ornamented at pleasure, is covered with a brass lid; in the middle of this lid is a valve worked by a spring lever, and covered with a cap or nose, having a very fine puncture. A glass tube, about an inch in diameter, and long enough to reach nearly to the bottom of the vase, is affixed to the centre of the underside of the lid. In this tube a lump of zinc is suspended by a wire from the top. The vase is partly filled with sulphuric acid, diluted with three parts of rain water. When the lid is placed on, and the tube of the zinc of course immersed in the acid, gas is generated in the tube, which, on the opening of the valve, rushes through the small puncture above mentioned. This stream of gas is directed against a piece of sponge platina, half the size of a pea, suspended in the center of a brass thimble. The gas ignites the platina to a bright red heat, and thus ignites itself, and continues so long as the supply of gas is kept up, and the valve kept open. A piece of common paper will take fire on being applied to the flame, and thus fire or light may be communicated to other matters.

*Aurora and Penn. Gaz.***COAL TRADE.**

Shipments of Coal from Mount Carbon to Philadelphia:

|                       |                     |              |
|-----------------------|---------------------|--------------|
| Week ending 5th inst. | 78 boats carrying   | 2,105 Tons.  |
| Per last report, 1584 | do                  | 42,494       |
| Total,                | 1662                | 44,594       |
| Mauch Chunk, Total,   | 302 boats, carrying | 10,484 tons. |

**POOR ESTABLISHMENT FOR 1829.**

The Board of Guardians consists of the following members, viz: *For the City.*

Thomas P. Cope, President, No. 36 North Fourth street.  
John Hemphill, Treasurer, No. 114 South Third street.  
Matthew L. Bevan, No. 222 Mulberry street.  
Abraham L. Pennock, No. 4 South Twelfth street.  
Thomas Rogers, No. 411 Mulberry street.  
Thomas Earp, No. 16 Montgomery Square.

*For the District of Southwark.*

Jesse R. Burden, No. 231 South Third street.  
John Keefe, No. 9 Federal street.

*For the Northern Liberties.*

William Binder, No. 286 North Front street.  
John Kessler, Jr. No. 166 Coates street.

*For Kensington District, and the unincorporated part of the Northern Liberties.*

Michael Day, Marlborough, above Queen street (K.)

*For Penn Township.*

James S. Spencer, No. 13 Palmyra Row.

**Secretary**—Samuel Hazard, in 12th, third door below Cherry.

**Solicitor**—John M. Scott, Esq. No. 148 Chesnut street.

**Collector of Debts, &c.**—James Altemus, corner of Beaver and Second street, (N.L.)

**Out-door Agent**—Jacob Fidler, North Fourth street, first above Tammany.

*Committee for the Children's Asylum.*

Thomas P. Cope, No. 36 North Fourth street.

John Hemphill, No. 114 South Third street.

John Keefe, No. 9 Federal street, near Front.

Jesse R. Burden, No. 231 South Third Street.

*Physician of the Children's Asylum.*

Matthew Anderson, N. W. corner of Christian and 2d st.

*Committee on the Small-Pox Hospital.*

James S. Spencer, John Kessler, Jun. & Thomas Earp.

*Physician of the Small-Pox Hospital.*

William D. Brinckle, No. 5 Palmyra Square.

*The Visitors are,**For the City.*

Edward Parker, No. 14 North Eighth street.

Jacob Fidler, North Fourth street, first above Tammany.

*For the District of Southwark.*

James Keefe, No. 7 Federal street, near Front—office

Commissioners' Hall, (S.)

*For the Northern Liberties.*

Samuel Kuen, No. 401 North Third street, above Coates' street.

*For Kensington District.*

Peter Day, Marlborough above Queen street.

*For the unincorporated part of the Northern Liberties.*

Joseph Peirson, near Rose-hill, on New Front st. road.

*For Penn Township.*

Christian B. Merkel, Wood street, near Thirteenth.

*Attending Surgeons and Physicians.*

William Gibson, No. 254 Walnut street.

William E. Horner, No. 263 Chesnut street.

John Rhea Barton, No. 194 Chesnut street.

Richard Harlan, SW corner of George and Ninth street.

Nathaniel Chapman, No 9 York Row.

Samuel Jackson, SW corner George and Eighth street.

Hugh L. Hodge, No. 180 Walnut street.

Samuel G. Morton, SW corner of Arch and Eleventh st

Henry Neill, No. 112 Spruce street. } Obstetrical

Benjamin Ellis, No. 30 N. Ninth st. } Department.

*Out-door Physicians.**City.*

South Eastern District—Harper Walton, SE corner of Second and Pine street.

South Western District—D. C. Skerrett, No. 135 south Tenth street.

North Western District—Samuel Stones, NW corner of Market and Sch. Sixth st.

North Eastern District—O. H. Taylor, Race near Tenth street.

*Southwark.*

Western District—D. Francis Condie, No. 138 Catharine street.

Eastern District—Harvey Klapp, No. 302 south Second street.

*Northern Liberties.*

Western District—Thomas H. Yardley, Fourth street below Green.

Eastern District—J. S. Zorns, No. 288 north Second st.

*Kensington.*

Western District—Isaac Kline, Second street, opposite Beaver.

Eastern District—A. Helffenstein, Beach opposite the Market.

*Penn Township.*

Southern District—James Cox, N. W. corner of Wood and Lawrence street.

Northern District—John Wiltbank, No. 193 N. Ninth st.

Office of the Secretary, Visitors and Agent, in the East Wing of the State house. Office hours from 8 till 1 o'clock, and from 3 till sunset.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 12. PHILADELPHIA, SEPTEMBER 19, 1829. NO. 90.

FROM MANUSCRIPTS  
IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

## EARLY SETTLEMENT OF THE SWEDES ON THE DELAWARE.

The following documents were obtained by permission of the Swedish Government, by the Hon. Jonathan Russel, when minister of the United States to the court of Sweden and by him presented to the American Philosophical Society in July 1820. The originals are in the Swedish language—and there is also a French translation of them, which we have translated for our present purpose.

*Passport for the vessel which Mr. De Korst and those interested with him, intend sending to New Sweden.*

Given at Nykoping, January 24, 1640.

We Christina &c. make known that the bearer of this Captain Jacob Powelson with the vessel under his command named Fredenburgh, laden with men, cattle and other things necessary for the cultivation of the country, designs departing from Holland to America or the West Indies and there establishing himself in the country called New Sweden; we therefore beseech respectively and amicably all monarchs and republics or their officers and servants to whom the said captain may address himself, and request of them and expressly command our own subjects, to permit freely and without obstacle to pass, the said vessel with all the persons and every other thing which may be on board; and according to circumstances to permit him to return to his country; we promise to act in like manner and as is becoming to others; our subjects must fulfil our express will. Given under our Royal seal and countersigned respectively with the proper hand of our Guardians and administrators of the Kingdom of Sweden—day and year above written.

Gabriel Oxenstierna, Gustafson, Jacob de La Gardia, Carl Carlson, Gylidenhielm, Oxel Oxenstierna.

Gabriel Oxenstierna Bengtsson.

Besides this passport, we have also forwarded two others in which we have left a blank for the names of the captains and their vessels.

*To the Commandant or Commissary and other Inhabitants of Fort Christina in New Sweden—concerning different things.*

Christina &c.

Nykoping, January, 24, 1640.

To our friends and lieges. We make known to you by these presents, that we have granted and permitted to our very dear Gothart de Rehden, Mr. De Horst and Fenland &c. to him and those interested with him, to send to New Sweden two or three vessels, laden with men cattle and other things necessary for the cultivation of the country, to establish themselves on the North side of the South River and to there found a Colony. We announce to you likewise, that we have accorded to them a grant and privilege with several other rights. What we exact from you is, that you place no obstacle to their project, and moreover for

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your own advantage and common safety that you be with them upon good terms. We have also the gracious intention of sending you from Gottenburg, next spring, if it pleases God, one or two vessels with all sorts of provisions; and to detail to you more fully our views and intentions, according to which you will have to conduct yourself in both cases. We hope that you will neglect no care for the advantage of our service. Given as above. Gabriel Oxenstierna, Gustafson, Jacob de la Gardia, Carl Carlson, Gylidenhielm, Oxel Oxenstierna, Gabriel Oxenstierna Bengtsson.

*Letter which fixes the salary for Mr. Jost de Bogardt, concerning Fort Christina.*

Nykoping, January 30, 1640.

We Christina &c.

Make known—Our dear and faithful Jost de Bogardt having taken upon himself and having promised to assist as much as is in his power, by his direction and exertions, our subjects at Christina and the people whom we may send there in future; to employ all his care, on the different occasions which present for promoting our advantage and that of the crown of Sweden, as also to instruct us exactly on every occasion in every thing which it is important we should know; and to execute faithfully our orders. We secure to him, for this service with which he is charged an annual compensation to commence at present, of 500 florins of the Empire or 200 Rix Dollars. These 500 florins or 200 Rix Dollars, shall be every year, fully and without failure remitted to his Banker in Holland by our Resident Spiring, or other charge d'affaires whom we may then have in Holland. If in future, we have new proofs of the attachment of Mr. Jost de Bogardt and of his zeal to promote our welfare and that of our crown, we promise by these presents to augment his said annual salary 100 florins of the Empire and moreover according to circumstances to recompense him in a royal manner.—Such is the design of this letter.

Given day and year as above.

Gabriel Oxenstierna, Gustafson, Jacob de la Gardia, Carl Carlson, Gylidenhielm.

Oxel Oxenstierna, Gabriel Oxenstierna, Bengtsson.

*Obligation (counterpart) given by the aforesaid Jost Bogardt*  
Nykoping, January 1640

The very powerful &c princess Christina &c my very gracious Queen and Lady having given me the undersigned a place in her service in the country of New Sweden, I promise and engage by this instrument to be faithful and subject to her majesty as a true and faithful servant and subject ought to be; and not only to aid by my counsels and actions, the persons who are at fort Christina and those also who may hereafter be sent there from the kingdom of Sweden, but to employ my exertions to procure, as occasion presents, whatever will be most advantageous to her Majesty and the crown of Sweden, and moreover not to suffer any opportunity to pass of sending to Sweden all information which may be useful to her majesty and the crown of Sweden; and in this and all other things which her majesty may deign to confide to me and order; to fulfil always exactly her orders as a faithful subject ought to do—with all the intelligence and exactness, of which I am capable—the



whole faithfully & without delay. In faith whereof I have signed this letter with my own hand and have attested it by affixing my common seal. Done year and day as above

JOST DE BOGARDT

*Grant and privilege given to Mr. Henry Hochhamme & Company for the establishment of a new Colony in the country of New Sweden.*

NYKOPING Jan'y 24, 1640

We Christina &c make known by these presents — Our dear Mr. Henry Hochhammer and others interested and in company with him, having humbly represented that by means of the grant and privilege which we granted them, they had the intention of establishing a new colony in the country of new Sweden; after having maturely weighed the circumstances of this affair, not only we approve their design but also we wish to second it and in order to facilitate its execution we grant them special concessions and the following privileges:

1st. We concede by these presents, and grant to them permission to cause to depart from Holland at their expense, under our royal protection and in our name, two or three vessels with men, cattle and other things necessary, which from the commencement they have designed to transport from thence, for the purpose of landing them below Fort Christina, on the north side of South River and there to take by their agents as well of this side of the river as of the other, as much land as is necessary for their project, to put the lands under actual cultivation in the space of ten years, in such manner however that they shall limit their possessions at least to four or five German miles from Fort Christina.

2d. But if the country which at first they shall have chosen does not suit them, they may without any obstacle choose another; which nevertheless shall only be done with our express consent or that of our Governor in that country, to the end, that no person receive damage by it.

3d. The possession of all that they may thus occupy by virtue of the first or second articles, shall be guaranteed to them by our royal authority and never shall any thing be taken from them by us, either from them or their descendants.

4th. All within their district, besides the fruit of the surface, minerals, rivers, springs, as well as the woods and forests, the fish, the chase, even that of the birds, the establishments upon the water, the wind mills and every other advantage and utility which they find established or may be established, shall remain for ever to them and their descendants as allodial and hereditary property, & they shall only pay to us and to our successors, as an acknowledgment of our sovereignty per annum three florins of the empire for each family established upon their territory.

5th. We grant in like manner to them the right of exercising in their district high and low justice, of founding there cities and villages and communities, with a certain police, statutes and ordinances, to appoint magistrates and officers, to take the title and arms of their said colony or province; it being understood that they and their descendants shall receive of us and our successors that jurisdiction and those royal rights as an hereditary fief; and that they must conform themselves in this case to all which concerns the ordinary justice of fiefs.

6th. As in all we reserve for us and our successors to the throne, sovereignty, and what depends upon it: and especially appeals to us and our governors established by us, our will is, that the statutes and ordinances, which they intend to establish, should be communicated to our said governor and presented for his approbation and confirmation, in order to discuss and execute with him all which may most contribute to the advantage and welfare of the whole country.

7th. As regards Religion we are willing to permit that, besides the Augsburg Confession, the exercise of the pretended reformed religion may be established and

observed in that country: in such manner however that those who profess the one or the other religion, live in peace, abstaining from every useless dispute, from all scandal and from all abuse. The patrons of this colony shall be obliged to support at all times, as many ministers and schoolmasters, as the number of inhabitants shall seem to require; and to choose moreover for this purpose, persons who have at heart the conversion of the pagan inhabitants to christianity.

8th. It is also granted to the patrons to establish in this colony all sorts of industry and manufacture, to engage in all commerce and trade in the country and out of it, as also to go with their vessels and carry on trade with all the coast of the West Indies and Africa, belonging to potentates with whom we are not at war, as well as in the rivers and bays which belong to them; not otherwise nevertheless than with vessels and yachts which have been built in New Sweden—and our desire is for the advantage of their expeditions to lend them all the assistance which depends upon us.

9th. For all the merchandize which they shall cause to be transported from New Sweden into the countries of Europe, the depot shall be Gottenburg. It shall not however be required of the merchants to pass the sound, if they wish to go to some other part of our kingdom.—As to foreign ports which do not depend upon the crown of Sweden, it shall not be permitted to them to enter, except in case of absolute necessity; and in this case, they shall be no less required to repair to Gottenburg afterwards, there to shew the reasons which compelled them to enter a foreign port, to pay duty on the merchandize which they shall have sold elsewhere, and to equip their vessels anew; and we wish that all shall conduct themselves in such a manner that there accrue no damage to the revenue heretofore granted and made to the commercial Company of New England to which they must conform themselves.

10th. We exempt also by these presents the said patrons and the colonies subject to them for ten successive years, from all impost, duty, excise, and every other contribution and charge, whether real or personal, of whatever name. They shall only pay as is mentioned in the 4th article, the three florins, on the goods and merchandize which shall be transported into our states; and if these goods and merchandize are again exported, they shall be then free from the duties of the custom-house usual in the kingdom; at the same time they shall enjoy all the privileges which we grant to our other subjects.

11th. At the end of ten years all that has been decreed by the preceding article with respect to the customs of our kingdom shall remain in force, and at the same time they shall pay in New Sweden 5 percent. on all goods which shall enter there or carry away & as the expense for the wages of officers necessary in the country, for the support of fortresses and other indispensable fortifications must be derived from the Customs; they cannot refuse to assist for that object by other contributions, according to the necessity as the time and circumstances shall require, to the end that we may have greater reason to secure to them and their posterity tranquility and safety.

12th. We desire beside that they shall take special care that it shall not be permitted to any person of the colony to take either man or woman, domestic or servant from the service to which they are bound to their master, nor to take into their service any person who before the time fixed by his engagement has of his own authority, left his service without express permission of his former master, and on this point the Governor is specially authorized to support the master in his rights.

13th. We permit & grant by these presents to the under-written masters of vessels to send everywhere in the ocean for fish, their vessels built in New Sweden. It is also permitted to them to conduct and sell the fish which they shall have taken, not only to all quarters of the W. Indies, but also if convenient to them, to all places situa-

ted on the straits of Gibraltar and upon the Mediterranean sea; upon condition, however, that the whole be first duly declared and registered by our agents, that the customs be paid, and that there be no fraud, and moreover that they observe exactly all that is directed in article 9 in respect to the depot of Gottenburg.

14th. In case any of the said patrons or their descendants, happen hereafter to discover in the country above described, any minerals, precious stones, coral, chrystal, marble, a pearl fishery, occasion for making salt or other like things—those who discover them are at liberty to work them with consent of our governor; and he shall enjoy without any charge during ten years the whole produce of the discovery; after ten years have passed he shall in preference to all others be maintained and protected in said possession, with the obligation to pay to us per year a certain annual sum to be then determined.

15th. We take by these presents the said patrons and their Colony under own special protection, and we are disposed to defend them and protect them, at all times, and as much as in our power, against all attacks as well as to watch over their interests, and to procure by all means their well being as well as that of all our faithful subjects.

16th. On the contrary they will be held, they and their descendants not to be wanting in those things which they owe us and if we shall have war with any king or republic to take as much to heart the interests of our faithful subjects as their own, to lend us their assistance and co-operate as much as time and circumstances will permit, for the preservation of our states, and of their own prosperity. We desire moreover that they and their posterity be always exempt from enrolments and from compulsory military service.

17th. We exempt in like manner the said inhabitants of New Sweden, as well as their posterity, from all confiscation of property; and we desire that fines, whatever may be the offence, do not amount to more than 100 florins of the Empire or 40 Rix Dollars; and we reserve to ourselves every other species of punishment according to the quality of the offence.

18th. And as the said patrons think of transporting into said country in a few years, a more considerable number of men and beasts, and several other things necessary for the cultivation of the earth, the construction of houses and the founding a city, they are permitted not only for once, but even several times, according to the nature of the articles, to transport them directly from Holland, each time, however with our knowledge and special permission, more particularly, as always the equipments were ordinarily made at Gottenburg. For more ample confirmation of all this, we have caused to be affixed to this letter our private seal, and we have ratified it by our proper signature and that of our respective guardians and administrators of the kingdom of Sweden. Done as above.

GABRIEL OXENSTIERNA,  
JACOB DE LA GARDIA,  
CARL CARLSON,  
GYLDENHJELM,  
AND OXENSTIERNA,

GABRIEL OXENSTIERNA BENSSON.

This privilege was first prepared for Lt. Horst, but afterwards given to Henry Hochhammer.

(To be continued)

#### AMERICAN SILK.—No. 12.

*Thrown silk* is nothing else than raw silk, which, after sundry preparatory operations, is *twisted* by means of a machine called the *throwing* or *twisting mill*, in French *le moulin à tordre*, and is the celebrated machine which was introduced from Italy into France by M. Benay, as mentioned in No. 5, for which he was so splendidly rewarded. It might, therefore, by a more intelligible expression, be called *twisted silk*.

The operations preparatory to twisting, or passing through the mill, are the following:

1. *Winding on bobbins*—in French *devider*. (a) The raw silk is wound in this manner by means of a machine, called in French *devidoir*. A drawing of it is given in the manual published under the authority of the House of Representatives, plate III. fig. 1. But this drawing is old, and the machine has been since very much improved and simplified.

2. *Cleaning or purging*—in French, *purger*. By this operation the raw silk is freed from the knots or lumps that still adhere to it, and acquires the necessary degree of evenness. It is performed by means of a machine called, in French, *purgeoir*. I have not seen a drawing nor a description of it in this country.

3. *Doubling*, by which two or more threads of raw silk are united together, according to the degree of thickness required. This is done by means of a machine called, in French, *doubloir*, of which there is a drawing in the manual, plate IV. fig. 1 and 2; but liable to the same objection as that before mentioned.

4. After these operations, the silk is put to the mill to be twisted, which is called *throwing*. It comes out of the mill ready for the weaver's loom. Sewing silk, which, it will be recollected, is made out of the silk of imperfect cocoons, receives here its last finish. The other qualities of silk; single, organzine and tram, may either be sold for exportation, under the name of *thrown silk*, or be immediately employed in manufactures at home. Silk thus prepared, is sometimes said to be *organzined*, the word *organzine* being then understood in a general sense, and comprehending tram and singles; as well as organzine proper.

There is a drawing in the manual, plate III. fig. 2, which is said to have represented the throwing mill, and to have been taken from a French Encyclopedia;—but it is not certainly the throwing mill, as at present used; it seems rather to have been taken from another machine, called the *tavelle*, of which I shall speak presently.

Sewing silk and twist are of all silks those which require the most labor. The former must undergo three times and the latter six times the processes of winding, doubling and twisting. It is in this sense that I have said that sewing silk (in which I meant to include twist,) is the *perfection of thrown silk*.

The reader will here easily perceive the reason of the difference between the Connecticut sewing silk and that made in Europe, and he will be sensible that without the necessary machines, it is impossible to bring it to the requisite degree of perfection.

Of the other silks, tram silk alone requires to undergo these processes three times, organzine twice and singles only once.

*Floss silk*, which I have explained before to consist of the tow and coarse fibres of the silk extracted from the cocoons, and of the waste and refuse silk collected during the process of reeling, put together in a mass, then carded and spun on the common wheel; of which are made ribands, silk tapes, stockings, gloves, mittens, night caps, vestings, and all kinds of hosiery, may be either sold as raw silk for exportation, or employed in the manufacture of coarse articles of the above description; but if it is meant to give to those articles any degree of fineness, the floss must undergo the same processes as other raw silk; it must be wound, cleaned, doubled and twisted in the *tavelle*, a machine made on the principle of the throwing mill, but differently constructed, and of a much smaller size. Many comfortable articles might be manufactured in this country of this silk in its raw state; this branch of domestic industry might very well take the place of the sewing silk manufactures of the Connecticut ladies, and in them an agreeable and profitable employment; and it would prepare the American

(a.) Winding the silk from the cocoons, or *reeling*, is called in French, *filer*, to spin. Hence the word *filature*. These explanations are given to facilitate the reading of the French books on this subject.

weavers for making the finer articles, when the manufacture of thrown silk shall have been introduced into this country.

At that period sewing silk will be a regular article of American manufacture; then ribands and fine hosiery of all descriptions will be the first things that will be attempted; after which the finer manufactures of stuffs made of singles, organzine and tram will follow in succession. It will be necessary at that time to acquire the art of dyeing in the delicate colours which silk manufactures require; and it is proper to observe, that the plain colours are the most difficult to be obtained, as the more the colours are mixed, the less easily are defects in the dyeing to be perceived.

Thus the American nation will, by gradual but sure steps, reach the desirable point to which her whole ambition should be directed, that in which her own native silk, that precious gift which a kind Providence has bestowed upon her of such excellence and with such extreme profusion, will fill the land with riches, and make America what France now is—a country that no reverses can put down, and that even conquest and the devastation of hostile armies, cannot impoverish. Whatever fate fortune may have in reserve for me, it will be to me a proud source of happiness to have, by these communications, in the least contributed to the lasting prosperity of a country which I have been early taught to venerate and cherish as the cradle of liberal principles, the source of all that is dear to mankind.

Some of my zealous friends have often told me, "Beware of the Americans! they are a shrewd, intelligent, ingenious and inquisitive people. Don't tell them too much, or they will find out your secrets." Alas! I have no secrets; I am only in possession of an art, which I would freely, if I could, communicate to every man, woman and child, in America. Ask the skillful harmonists, Hupfeld, Segura, and De Konnick—ask the charming vocalist Madame D'Orval, what their secret is? They may execute before you the master pieces of their art; you see the motions of their hands, you hear the sounds of their voices—but without study and practice, it is in vain to attempt to imitate them, though nature had gifted you with the soul of an Orpheus. It is the same with the various arts of preparing and manufacturing silk—their secret lies in practice. Ingenuity, it is true, first discovered these processes; but it required centuries before they were brought to their present state of perfection. A striking example of this is at hand.

In the manual above frequently quoted, (page 141) it is related as an astonishing fact, that a woman at Novi, in Piedmont, reeled *one pound* of silk in a day. There is no doubt of the fact; but the manual does not say, that that happened upwards of forty years ago, as appears from the book to which a note refers. Now, in consequence of successive improvements, a woman, as I said before, (No. 10.) may reel off three pounds of raw silk in one day, that is to say in 12 working hours. Thus the art has been gradually advancing, since Colbert, who was himself skilled in manufactures, (b) by the encouragement which he gave to Benay, who first imported the *throwing mill* into France from Italy, laid the foundation of the great riches which his country has derived from the silk trade. Before that time immense fortunes had been sunk in the vain attempt to establish in that kingdom the silk manufactures which Italy then exclusively possessed. At Nîmes, the place of my birth, tradition has preserved the memory of millions lost in that manner, by the ancestors of some of the most respectable families, who still love to speak of the folly of their forefathers. (c)

(b) The celebrated Minister Colbert, was brought up in the house of the *Mascrannis*—rich manufacturers of Lyons, and was early imbued with their principles. Dictionnaire des grands hommes, *verba Colbert*.

(c) M. de Villeroi sunk in this manner 1,800,000 francs, and M. de Marguerites, one million. One M.

Froment ruined himself entirely; to what sum his loss extended, I do not know; but it is a notorious fact in consideration of the sacrifices that he made, his family still enjoy a pension from the French Government, which is to be continued until the extinction of the male line. There are similar examples at Lyons, but I do not know the particulars.

The state of Connecticut, by beginning at the wrong end, and making sewing silk, which cannot find a price in the money market, before she had learned even to prepare the raw material, has been seventy years following the same course, without advancing a single step. She may proceed in the like manner for ages, misemploying the gifts of Providence, and will meet with no better success. Every attempt to manufacture silk that will not be begun on right principles, will only retard the period when America will be in the full enjoyment of the blessings which nature has prepared for her.

### No. XIII.

I have, at last, reached the end of the course which I proposed to myself in writing these essays. At first, I had nothing in view but to communicate to the American public the interesting discovery, which it was my good fortune to make, and to prove by actual experiments, the great superiority of the American silk, in quality, as well as quantity, over that of Europe; which was afterwards followed by that of the hardly less important fact, that the cocoons produced by worms fed on the leaves of the wild American native mulberry tree, do not yield to others in the beauty of their silk, and only differ from them by the greater quantity of floss that they contain. Urged, however, by the solicitation of some patriotic friends, and particularly of the gentleman to whom I am indebted for aid in the composition of these essays, I was induced to combat the erroneous opinion that appeared generally to prevail, that the manufacturing of *sewing silk* was a principal, if not the principal object to be pursued in the employment of the American material; an error which, if persevered in, would have led to the ruin of thousands; and I have endeavoured to show, with what success the reader best can tell, that the first thing to be attended to was the preparing of raw silk for sale, by which, I think I have proved that great profits are to be made, in anticipation of the greater advantages that will accrue to this country, from the complete establishment of silk manufactures, which time and experience cannot fail to produce. I could say a great deal more on this subject of *raw silk*.—I could heap proofs upon proofs to convince the most incredulous of the great profits to be derived from it; but I must take care, least by saying too much, I should become tedious. I shall content myself with asserting that, while in France, I have seen letters from silk merchants, in which they say to their correspondents in Piedmont—"Send us fine (raw) silk; never mind five francs (one dollar) per pound, more or less: but send us *fine silk*." I think I am not too sanguine, when I give it as my opinion, that the beautiful silk of the United States, when properly prepared, will be sought for with avidity by the merchants and manufacturers of Europe, and that America will sell, at her own prices, as much of it as she can make.

The reader will perceive that, in these essays, I have not been satisfied with mere assertions, and that I have proved, as I went along, the principal points that I have ventured to make. In order to be the better understood in a matter almost entirely technical, I have drawn, with all the clearness and precision in my power, as it were, the chart of the silk business, from the winding of the silk from the cocoons, to the delivering it over to the weaver's loom. By this means, I have enabled all intelligent men to judge of the numerous schemes that are brought forward from time to time, and to form a correct opinion of the pretended inventions and improvements with which the newspapers abound. Thus, we hear of machines for winding silk from cocoons *without*

*handling it*, which is absolutely impossible; for, if a single thread should break, what is to be done? We have heard of others, by means of which silk can be reeled and twisted at the same time; doubling and twisting, or in other words, that raw silk and thrown silk may be made by one and the same operation: and in a late New York paper I find an improvement on the reel, which the inventor calls the *mill of Languedoc*, advertised for sale, while it is evident that it would be much better for the ingenious artist to obtain a patent for his discovery and make his fortune by the preparation of raw silk.

On all similar pretensions, these essays, by laying open the whole course of proceeding in the silk business, will operate like Ithuriel's spear, and show them in their natural and proper shapes. I have no doubt, however, that the numerous machines employed in the different branches of the silk manufacture, are destined to receive great and material improvements in this country, whose future Whitneys will distinguish themselves as they have done in the cotton business; but every body will understand, that he who will improve upon a machine, *must first learn how to use it*.

In the same manner, the information that I have thus taken the pains to diffuse will show the extent of what can be done with American silk, by mere natural means and without the aid of European silk and machinery.—When we hear of vestings, silk stockings, gloves, mittens, and thick solid stuffs, not very wide, made in this country, or of silk sent to Europe and returned in the form of those manufactured articles, we may safely believe it, because we know that they may be made of *loss silk*, not wound on the reel but spun on the common wheel, and *a fortiori* of the finest silk of the cocoons, if it should be thought proper to put it to that use. But if we should be told that satins or velvets, or even the lighter stuffs, which are yearly imported from Europe at such an enormous expense, as taffeties, lustrings, gros de Naples, levantines, and the like, or even ribands, silk stockings, and other articles of hosiery and sewing silk, equally finished here with those of England, Italy and France, and such as may be readily sold for money or on credit; in short, what may be called truly *merchantable and profitable* commodities, every one who has read these essays will be possessed of sufficient data to decide on the correctness of the assertion, and will know that it is impossible that such wonders can have been performed without the assistance of the art, or—Aladdin's lamp.

I have hitherto shown only the fair side of the prospects which America may expect to realize, by means of the silk which her country is calculated so abundantly to produce. I have now a less pleasant duty to perform; for I cannot avoid speaking of the difficulties that she will have to encounter before those expectations are in a fair way of being fulfilled. Those difficulties have been experienced by all the manufacturing nations of Europe, successively, and I can see no reason why the United States should be exempted from them. The various preparations of silk and the numerous forms in which it is afterwards manufactured, from satins, velvet, brocades and gold and silver tissues, to ribands, stockings, and gloves, are all arts of difficult acquisition, and of which the nations who possess them are particularly jealous. We have seen what immense sacrifices sovereigns have made to introduce those arts into their dominions. We have seen with what pains and at what expense the Kings of France obtained the services of Michaeli and Benay, the King of the Netherlands those of Barramendy, the manufacturers of England those of Despoulies, who only taught them the process of manufacturing some particular kind of stuffs; we have seen the immense sums that were sunk in France, when endeavouring without assistance to find out a method only of preparing silk for the loom, which they never succeeded in until the throw-string mill was brought in by a person skilled in the use of it; the same difficulties still exist, and they must be conquered before the United States can think of enriching themselves, even by the

mere preparation of raw silk; that is also an art that requires experience and practice, and at every step beyond it the same difficulties will again occur. It is idle to think of importing journeymen, or journey women; for such are not to be had, and if they could, much advantage could not be drawn from them, each knowing only that part of the business which the division of labour has allotted to him. The manual labour, except in passing through the throwing mill, is all performed by women, whom nothing could induce to lose sight of their parish church steeple; much less to emigrate to a distant country, of a language of which they are ignorant.

We find from a publication which lately appeared in the papers of this city, that even the women of Connecticut, employed in the manufacture of sewing silk, could not be induced to remove to Philadelphia; no, not a single one of them; so that the gentlemen who wanted to introduce here that branch of business, were forced, as a *pis aller*, to send for a manufacturer from Europe, who, not being inclined to do journey work, the opportunity was lost. Much less will the women of Italy or France abandon their country for a similar object; the more ignorant they are, the more they will be acted upon by the fear of unknown danger, nor will they be easily persuaded to leave their husbands and children to try their fortunes in the new world. As to the overseers, or those who superintend the labours of the women, they are all well paid at home and are not inclined to emigrate. Besides, it is extremely rare to find a person who knows more than one single branch of the silk business. The head manufacturers are in general, better informed; but those are too independent to think of leaving their country.

As some persons may think that I exaggerate, I take the liberty of giving an extract of a letter from Mr. J. W. Morse, a respectable American at Marseilles, to a gentleman of this city, by which I believe my assertions will be found fully substantiated. The letter is dated Marseilles, 21st. March, 1829.

"It is very difficult, indeed, to find a person who possesses a knowledge of the reeling and the different processes before being made into sewing silk, as it is done by four or more persons, who have each their particular part, and who continue for years doing nothing else.—The women who reel do nothing but reel, and therefore it is difficult to find a *man* who is acquainted with this branch of the business. I have made application, thro' the medium of several respectable silk merchants here, at three of the manufacturing towns of the neighborhood, but without success. It appears it is not the first time that application has been made for the same object."

These are the difficulties which the United States will have to overcome, before they can introduce any kind of preparation of silk into this country. Nothing is so difficult as to obtain from Europe persons who are skilled in those branches of business. A circumstance which lately happened in this city, and to which I am not willing more particularly to allude, will not, I fear, be calculated to encourage such persons to come hither, even if they should be so disposed. No promise of a fortune, I believe, will henceforth be sufficient to induce them to it.

It is certain, however, that sooner or later, the United States are destined to be a *rich silk growing and silk manufacturing country*. The fulfilment of this high destiny may be retarded, but nothing can prevent its taking place at some future time.

The next number will conclude these essays.

7th. September, 1829.

J. D'HOMERGUE.

#### PROCEEDINGS OF COUNCILS.

The full report of the proceedings of the Select Council on the subject of the Watchman Cases, was not published at the time, in consequence of the papers containing the following not being accessible. It will be

seen that the resolution authorising payment was passed by the Select Council. The matter remains still undetermined in the Common Council.

SELECT COUNCIL, April 9th, 1829.

The joint committee to whom was referred the memorial of the discharged watchmen, reported, that being divided in opinion, and unable to agree on any measure to be proposed for the adoption of councils—They offered the following resolution:

*Resolved*, That the committee be discharged from the further consideration of the subject.

When this report and resolution were under consideration, Mr. Read moved to postpone their further consideration, for the purpose of introducing the following report and resolution as a substitute:—

The Committee, to whom was referred the petition of certain discharged watchmen,

#### REPORT,

That the present City Commissioners came into office on Monday, the 5th of January last, and that the seventeen individuals who have petitioned councils for redress, were then in the employment of the city, either as silent or loud watchmen, at certain fixed monthly wages, and had been so for several years—That on the 10th of the same month, (January) nine of them, viz.—John Gray, Thomas Elton, Philip Mingle, James Ireland, Nicholas Shultz, Levi Hopper, Eli Newman, Frederick Albright, and Jonathan Dixey, who belonged to what is called the silent watch, were discharged by the City Commissioners, and on the 14th of the same month, the remaining eight, viz.: Samuel Barry, Samuel Nagle, Jefferson Johnson, Samuel Linton, John B. Cornean, Eliasha Parker, Andrew Gilmore, and George Nagle, who belonged to the loud watch, were also discharged from the service of the city by the City Commissioners—That these discharges took place “without notice, without proof or allegation of misconduct,” against any of these individuals, and so far as your committee are able to learn, simply on the ground, *that the City Commissioners possessed the power, and were determined to exercise it at all hazards.*

That the petitioners very properly tendered themselves ready to perform the duties of their respective stations, during the month for which they were hired, & at the same time notified the commissioners, that they should hold the corporation liable for their month's wages at the expiration of that period.

That after the expiration of the month of January, they applied to the City Commissioners for payment of their month's wages, but were refused; and that after a vain attempt on the part of the petitioners, to prevent costs, and a lengthened course of litigation, which they were ill able to bear, by offering to consolidate their suits into one, which should be instituted in the District Court for the city and county of Philadelphia, and by the decision of which all should be bound, without any appeal whatever, and which offer the City Commissioners rejected, they were finally obliged to institute, *individually, seventeen suits against the corporation*, before an Alderman of the city of Philadelphia—That each case was considered by itself, and contested by the City Commissioners, who were represented by the City Solicitor, and finally judgments were entered in all the suits in favour of the petitioners. In all these cases appeals to the Court of Common Pleas for the city and county of Philadelphia, have been entered on behalf of the city.

A list of the judgments, with their respective amounts, and the costs in each case is attached to this report, by which it appears that the whole amount now due the petitioners, including the costs before the magistrate, and without calculating interest, is \$384 17½.

Such is the brief statement of the facts alleged by the petitioners, and not disputed or denied by any one.

Your committee, however, for the information of councils, will state in addition, that so far as their inquiries have extended, it has been the invariable practice of the City Commissioners to hire and pay the watchmen by

the month, and that previous to the appointment of the present City Commissioners, no watchman ever was discharged except for misconduct, and a violation of his contract with the city, and not even then until he had a fair hearing before the Commissioners.

Your committee are therefore of opinion, that this unprecedented exercise of a despotic authority by the City Commissioners over individuals, against whom no breach of contract on their part has, or can be, alleged, calls for a most strict and severe examination by the Councils of Philadelphia, who, as the immediate representatives of the freemen of this great city, are bound to protect the weakest and poorest of their constituents, against those servants of the corporation who may be vested with a little brief authority *by the ordinances, from which they derive their power, and their very existence.*

The City Commissioners have but one reply to the complaints of these petitioners, and that is, that by the 6th section of the ordinances of the 22d May, 1797, entitled “an ordinance providing for the appointment of City Commissioners and prescribing their duties,” they are vested with full authority *to discharge the watchmen, without any cause whatever, at any moment, and under any circumstances.*

The 6th section, says, That the City Commissioners shall “hire and employ a sufficient number of able bodied men to light and watch the city by night, at certain *fixed monthly or other wages*, and prescribe rules for their government, and dismiss them from office when they shall think proper.”

The Commissioners contend that the words—“dismiss them from office when they shall think proper”—give them the power to do it at any moment, with impunity. Your committee cannot agree with them in this interpretation, particularly when connected with the uniform practice, under this section—the wording of the rules and regulations, prescribed by the City Commissioners for the government of the Watch, and the ordinances on similar subjects.

In all contracts for services by the month, if the person hired do fulfil his duty, and violate no part of his contract, the employer cannot discharge him until the end of the month, except upon the terms of paying him the full month's wages. The same rule undoubtedly exists, between the Corporation and its watchmen, who are hired by the month, and who can and ought only to be discharged during the period for misconduct. If this be the case, then the petitioners were illegally discharged before the expiration of the month, and the City are bound to pay for the despotic acts of individuals appointed under their authority.

But it may be asked, what do these words “dismiss,” &c. mean. They mean simply this, that whenever the month, or the period for which they are hired is out, they may dismiss them, “if they shall think proper,” or may do so if they should violate any part of their contract, during the time for which they are hired. If this be not the meaning of this section, then the words “*certain fixed monthly*” wages must be stricken out, for they have no meaning or efficacy if the other be the true construction. If they are hired by the day, they can be dismissed at the end of any one day, if by the month, they can be dismissed at the end of any one month, which construction fully satisfies the words, “*when they shall think proper.*”

This construction is fortified by practice, for no watchman ever was thus dismissed, without cause, and without a hearing, and the ordinance of the 3d March, 1814, authorising the appointment of certain additional watchmen, speaks only of monthly wages, showing that mode of hiring to be the settled practice of the city—which also appears from the rules and regulations for the government of the watch, both of the late and present Commissioners, which in speaking of fines, say—“The annexed Fines for delinquency are to be deducted monthly.”

Your Committee therefore think, the City Commissioners had not the power to discharge the petitioners, before the expiration of the months for which they were hired.

But supposing this construction to be incorrect, there is another consideration, which in the opinion of your Committee makes the claims of the petitioners irresistible.

The petitioners are poor men, (some of them with large families dependent on their exertions for support,) who have, for many years past, in all weathers and in the most inclement seasons, faithfully protected the lives and property of the citizens of Philadelphia, during the hours of night—That without warning, or notice of any kind, and contrary to all former usage, they were turned out of their employments, and deprived at once of the means of supporting themselves and their families, and that this took place in the month of January, in the severest winter that has been experienced for many years. That at this inclement season, when work is difficult to be procured, and money is so peculiarly necessary to purchase the first necessities of life—these unfortunate but honest individuals, were suddenly deprived of their means of subsistence, and were turned upon the world almost as beggars.

The power to dismiss them, if possible by the City Commissioners, was cruelly and improperly used—its exercise was contrary to the first principles of Republican Government—which teaches us to respect the rights, feelings, and wants of the humblest citizens. In a despotic government, we should not wonder at such an abuse of power, but in a free country like *America*, the asylum of the oppressed of all nations, it is surely novel doctrine, that the weak shall be oppressed by the strong, and the rights of the poor man shall be sacrificed on the altar of power.

Your Committee would therefore upon the principle, that those were deserving and faithful servants of the City, who were poor and who had been injured by the exercise of an authority, unfortunately committed to persons who had abused the sacred trust confided in them, recommend the immediate payment of these petitioners. There is however an additional reason for this course. These petitioners poor as they are, if their request is refused, must contest what they think a matter of right and justice, with the officers of a great city, aided by the council appointed and paid to conduct the legal concerns of the Corporation—wait for years for the final termination of their suits, if the City Commissioners are disposed to carry them to the highest tribunal of the State, and during this period of suspense, incur costs, which would more than equal the sum which they claim. If the Commissioners are unsuccessful—the Corporation will have the satisfaction of paying these amounts, with heavy costs, besides legal fees, and of having contributed to the impoverishment, perhaps the ruin of the successful suitors.

Your Committee cannot therefore hesitate in recommending the immediate payment of these meritorious demands.

Your Committee cannot however conclude this Report without stating their opinion of the conduct of the City Commissioners, relative to the discharge of the City watchman generally.

The watchmen of Philadelphia are about one hundred in number, and at no period of her corporate existence was there so effective a set of watchmen as in the commencement of the month of January, 1829. They were sober, orderly and excellent citizens, who discharged the duties of their stations to the entire satisfaction of their fellow citizens. Of this number, the City Commissioners in the short period of nine days after their appointment to office, discharged upwards of forty-one, and placed the safety of the City and its inhabitants to the care of inexperienced and untried individuals, contrary to the expressed wishes of the citizens of the Districts, in which the discharged watchmen were located.

This, in the opinion of your Committee, was a rash and cruel experiment; tried upon persons who could not afford to litigate their rights with the servants of a powerful city, and certainly speaks little for the prudence and charity of its authors. Their number has accordingly been reduced to *seventeen*, who have with the spirit of free citizens, asserted their rights, and who now respectfully, but finally, ask at the hands of the Councils of Philadelphia, the justice that has been denied them by their public servants.

Your Committee therefore offer the following resolutions:—

*Resolved*, By the Select and Common Councils, That the City Commissioners be, and are hereby directed, to withdraw the appeals entered on behalf of the City, in the suits brought by Elisha Parker, Philip Mingle, Levi Hopper, Samuel Linton, N. Shultz, John Bray, Frederick Allbright, Thomas Elton, George Nagle, James Ireland, Andrew Gilmore, Jonathan Dixey, Jefferson Johnson, Eli Newman, Samuel Barry and John B. Corneau, against the Mayor, Aldermen, and Citizens of Philadelphia, and that the said Commissioners be, and they are hereby required, to pay the petitioners the amount of their respective Judgments with interest and costs.

The question for postponement was carried in the affirmative, but some discussion arising as to what was before Councils, the Chair decided, that the report offered as a substitute was not before the body, but simply the resolution that was attached to it. An appeal was taken from this decision of the president, and the Select Council sustained the Chair—a motion was then made to amend the resolution, by striking out the words "with interest and costs," which was lost. The resolution, as offered by Mr. Reed, was then passed, and sent to the Common Council for concurrence.

#### COMMON COUNCIL.

TUESDAY EVENING, SEPT. 10th.

A stated meeting was held this evening.

Mr. Johnson presented a remonstrance from sundry citizens, against placing chains across the street, at the south end of the New Market.

Mr. Scott presented a petition from citizens residing in the neighborhood of Twelfth, *Sassafras*, and *Jacoby* streets, praying that some of the old stones lately taken up in Race street, may be given them, to pave a private alley in that vicinity.

A motion was made that the prayer of the petitioners be granted; but it was rejected; from an opinion that according to this request would occasion numerous applications of the like character.

Mr. Baker presented a petition from the sureties of John Trout, Collector of the City Taxes, praying that they may be allowed till the close of the year to settle their accounts with the city, Referred to Messrs. Read, Williams, Baker and Oldenburgh.

Mr. Baker presented a petition from sundry citizens praying for the paving of Schuylkill Eighth street from High to George, and of George from Schuylkill Seventh to Eighth. Referred to Paving Committee.

Mr. Coryell, presented a petition from the Diligent Hose Company, who have lately removed their apparatus into Spring Garden. As they were eight months of the present year in the city, they pray that the usual appropriation for their assistance, be not withdrawn from them. Referred to the Committee on Fire Companies.

Mr. Oldenburgh presented a petition for a flagway across Second street, from Church Alley to Jones' Alley. Referred to Paving Committee.

A communication was received from the City Commissioners recommending the paving of Vine street, from Broad street to Schuylkill Eighth. Referred to Paving Committee.

Mr. Baker from the committee on Fire Companies, reported a bill to grant relief to the America Fire Company. It was passed.

The president of the Common Council, laid before Councils, the following report from the Directors of the Poor Tax.



The directors of the Poor Tax, respectfully report to their respective Corporations, That they have agreed to assess twenty two cents on every hundred dollars agreeable to the last County Assessment, and a proportionable tax on every free white male inhabitant; which, together with the dog tax, will give for the support of the Poor the gross sum of \$88,508 67.

By order of the Board of Directors.

Mr. Thompson from the committee on Ways and Means, made the following report.

The Committee of Ways and Means to whom was referred the communication from the City Commissioners of the 13th ultimo, wherein they state that certain appropriations for the present year are exhausted, and request that Councils will supply the same. Your Committee have met and carefully considered the subject referred to them; and now state to Councils that the appropriation for New Paving is this day overdrawn \$19,256 45; that appropriations for Docks and Sewers is overdrawn \$ 871 91, and that two or three other appropriations are partially overdrawn. Your Committee are aware that borrowing money at any time is a very unpleasant circumstance, nor can they devise any means at present by which it can be avoided. Your Committee are of opinion that twenty one thousand two hundred & twenty dollars for new paving, required by the Commissioners, will be barely sufficient. Five thousand dollars required for Docks and Sewers may answer, and two hundred and eighty dollars for expenses of Office is also wanted. Your Committee herewith present a bill providing for the deficiencies above stated, which they hope will meet the approbation of Councils.

When the bill which accompanied the report, came before the Common Council, Mr. Page said he would merely remark it was no unusual occurrence to pass bills at the latter part of a season, to supply deficiencies in appropriations. In one year, as he had found by reference to the minutes, a bill had been passed to supply a deficiency of 40,000 dollars.

Mr. Walsley said he could explain the reason. In making arrangements for extending the pavements to the Schuylkill, it was found impossible to defray the expense out of the Tax Funds. It was, therefore, necessary to resort to loans, to supply the deficiencies in the appropriations.

Mr. Linnard inquired if any of the monies belonging to the sinking fund had been invested in the State 5 per cents.

Mr. Oldenburgh replied that 32,000 dollars had been so invested.

The bill was then passed.

Mr. Bladen presented the following:

The Joint Committee on Markets report—

That they deem it advisable to have moveable stalls erected under the arches adjoining the Court House, corner of Second and Market, and report an ordinance to that effect.

A further supplement to an ordinance for the regulation of the Markets in High and Second streets.

Sec. 1. Be it enacted by the Citizens of Philadelphia in Select and Common Councils assembled, That the City Commissioners be and they are hereby required to have erected, two moveable stalls in Market street under the arches at the east end of said market house, adjoining the old Court House near Second street, one stall on each side, to be three feet six inches wide—the said stalls to be rented to and used and occupied by the vendors of meat only.

It was passed by the Common Council, but it was not acted upon by the Select Council, for want of time.

The following resolution was proposed by the Select Council; but laid on the table by the Common Council.

Resolved by the Select and Common Councils, That the committee on the State House and Independence Square be instructed to adopt such measures as may be necessary to prevent persons entering the Steeple of

the State House without a written order from a member of the Select or Common Council, or the Mayor of the City.

A petition was received from the Western Fire Company, praying for pecuniary assistance. Referred to Committee on Fire Companies.

Mr. Johnson moved to take it into consideration a resolution received some time ago, from the Select Councils, directing payment to be made to certain discharged watchmen of the amount of their claims, with interest and costs.

Mr. Johnson moved that the word "interest" be struck out. Adopted.

Mr. Baker moved to strike out the words "and costs." This was opposed by Mr. Moss, who thought that throwing the costs on these poor men, would be inflicting on them a hardship. It was also opposed by Mr. Page, who said that if the watchmen were entitled to their demands they were entitled to costs too.

Mr. O'Neil said he was one of the joint committee appointed to investigate the subject. The two branches of the committee could not come to an agreement, and therefore no joint report was made but all the members of the Committee belonging to the Common Council were of opinion that the proceedings of the Commissioners were legal. They founded their opinion on an ordinance passed in 1797, which declared,

"The said commissioners shall hire and employ a sufficient number of able-bodied men to watch and light the city by night, at certain fixed monthly or other wages, and prescribe rules for their government, and dismiss them from office when they shall think proper."

From this, he thought the Commissioners had a right to do as they had done.

Mr. Johnston said common sympathy and common justice required that the men should be paid. A respectable magistrate of the city had given judgment in their favour. Notwithstanding the phraseology of the ordinance, it never was the intention to give the City Commissioners the power to discharge watchmen *without a cause*. The present Council had come into power, when party feelings were much excited, but he hoped that feeling had so much abated, that this claim would be allowed.

Mr. Moss said that the ordinance gave the Commissioners power to discharge the watchmen, but not to discharge without pay. If a gentleman hired a servant for a week or a month and discharge him the next day, he was bound to pay his wages for the whole week or for the month.

Mr. O'Neil said gentlemen seemed to wish to make an impression that the wages of these men had been refused them. But the wages for the time they had served had been tendered them. The ordinance directed them to be paid monthly wages: but there was no contract either expressed or implied that they should be employed by the month. If we go back a few years we will find that other instances have occurred of watchmen being discharged without a cause being assigned. Mr. O'Neill cared nothing for the decision of the magistrate. He thought himself as able as any magistrate to construe the ordinance.

Mr. Page thought the explanation given by Mr. O'Neill was very satisfactory. As far as sympathy or justice should go, he would go as far as any man; but this was a question of right. Had the Commissioners the power to discharge the watchmen? It is clear they had from the ordinance. Whether they exercised it judiciously or not is another question. In what condition would the city be, if this power of dismissing the watchmen was not possessed by the City Commissioners? The watchmen, therefore, although they were paid their wages monthly, were not hired by the month. But was the conduct of the discharged watchmen respectful to the City? Instead of memorializing Councils, they instituted a suit against the corporation. The rule is, if you go to law, you must take what the law



gives. The decision of the magistrate was of little moment. Judgments of magistrates are oftener reversed than sustained by Courts of Justice.

Mr. Maitland could see nothing inconsistent with the ordinance in paying the watchmen their demand.

The question was then taken on Mr. Johnson's motion to adopt the resolution of the Select Council, and decided in the negative.

*Ayes.*—Messrs. Graff, Horner, Johnson, Maitland, Mass, Walmsley.

*Nays.*—Messrs. Baker, Bladen, Cave, Cook, Corryell, Linnard, Oldenburgh, O'Neill, Page, Scott, Snyder, Wainwright.

### UNIVERSITY OF PENNSYLVANIA.

When the Trustees of the University of Pennsylvania re-organized the Collegiate department and obtained for it professors of high and established reputation for learning and ability, they entertained a confident belief that it would deserve and receive the patronage of the public, and flourish with renewed vigor and usefulness. They were, nevertheless, aware that the experiment, however promising, might fail, and, therefore, thought it better to wait for the fulfilment of their hopes, before they attempted to impart their confidence to their fellow citizens. Twelve months have elapsed since the new arrangement was put into operation, and the Trustees feel it to be their duty to communicate to the public, in a responsible shape, the result of their undertaking. To enable them to do this with satisfaction, their committees have given a strict attention to the repeated examinations that have been applied to the several classes in the College, conducted with an impartiality of which none could complain, and a rigour which precluded all possibility of delusion. From such information and periodical reports of the faculty, the Trustees are warranted in thus expressing their full approbation of the faithfulness and diligence of both the teachers and pupils; their entire satisfaction with the condition of the College; and their increased confidence in its future and brilliant success. In the classics, nothing connected with a thorough and critical knowledge of the languages has been neglected, but an exactness of instruction was exhibited by the students which could have been attained only by the highest ability and care on the part of the professors, and a corresponding diligence in the pupils. In the several branches of Mathematics, the same readiness and precision were manifested, bespeaking a clear and intimate understanding of the subjects. In the studies under the direction of the Provost, of the Professor of Natural Philosophy and Chemistry, and of the Assistant Professor of Moral Philosophy, the most decisive evidence was afforded of the excellence of their instruction and the fullness of their knowledge; of the ability, fidelity and zeal of the Professors, as well as of the general industry and good conduct of the young gentlemen. The Trustees have no hesitation in saying to the public, that such is the vigilance with which the capacity and diligence of every student is observed, and his progress examined, that his parents may be assured that he is altogether deserving of the class he is associated with, of the rank he holds in it, and of the advancement he makes, or he would not be suffered to retain the one or receive the other.

IA short view of the studies pursued at the college, will show the education to be obtained there, and fully justify the declaration of the Provost, that "it is an institution as broad in its principles, and as comprehensive in its course of instruction, as any college within our common country."

In addition to the usual classical and mathematical studies of the *Freshman Class*, they will receive instruction for completing their English education, by grammar lessons, and by critical readings in prose or in poetry; their knowledge of geography will be strengthened and enlarged, they will be exercised in composition and

rhetoric, and be made acquainted with Grecian and Roman antiquities. The entire services of a professor of high attainments, are devoted to perfecting the students in their English education, which is deemed to be an object of primary importance.

The *Sophomore Year* will be employed in studying the elements of natural philosophy and chemistry—history, geography—ancient and modern, and the elements of criticism, rhetoric, elocution and English composition,—the advanced branches of mathematics. In the classics—this class will read Cicero, Horace, Terence, *Græca Majora* and Homer's *Iliad*.

The *Junior Class*, will read the *Art of Poetry*, Juvenal, *Perseus*, *Livy* and *Græca Majora*. They will be instructed in logic, moral philosophy, English composition and forensic discussions, natural philosophy and chemistry, the use of the globes and the construction of maps and charts; higher algebra, analytical geometry, including conic sections; differential calculus (fluxions.)

The *Senior Class* will read Longinus, Tacitus—and review or complete the former authors in Greek and Latin. In mathematics, integral calculus, analytical dynamics, with the application of physical astronomy—as astronomy, courses of natural philosophy and chemistry, the evidences of natural and revealed religion, metaphysics, natural and political law, elocution, composition and forensic discussions.

Instructors eminently qualified for teaching the French, Spanish and German languages, are attached to the University.

The internal police and government of the College is a subject on which parents and pupils will naturally be anxious to be informed; and is one of no small difficulty, if we may judge from the disturbances which have so frequently broken the peace, and interrupted the studies, of our seminaries of learning. The opinions and principles of the Provost, as delivered in his inaugural address, are entirely adopted by the Trustees, and will be given in his own language—"The discipline of a College is the most difficult, and, at the same time, the most material part of its economy. The youth of our charge, while they strenuously assert the claim to be treated as men, are apt, very often, to conduct themselves like boys. To curb the volatility of youth with the rein of decision and judgment; to induce the student to respect others, by making him respect himself; to destroy the temptation to folly by a full occupation of the time; to combine in our intercourse with the young men the firmness of the governor and the dignity of the teacher, with the affability of the associate and the interest of a friend;—these are the principles of that government which it is proposed to establish. The cords of discipline will be tightened. A close adherence to the rules of the College in respect to diligence, attention, and deportment, will be exacted from every individual; and exacted, too, not from the mere desire of rigor, but from a much higher principle—from the conscientious conviction that we owe it to the young men themselves; to the parents and guardians who shall entrust them to our care, and to the character of the University, to pursue, in regard to these points, a temperate but decided and undeviating course."

The system of discipline, here promised, has been firmly and faithfully adhered to, and its good effects daily manifested. There has been but little cause of complaint in the conduct of any of the students, and no serious infraction of laws of the institution. While the high and honorable feelings of the young gentlemen are appealed to for their good behaviour, and they are induced "to respect others by making them respect themselves," and severer remedies are at hand when these shall fail; while they are provoked to disorder by no unjust or unreasonable irritation, and tempted to it by no prospect of advantage, or desirable distinction, the trustees are convinced the College has nothing to fear from individual turbulence or dangerous combinations among the students.

The location of this University certainly offers important benefits, not only to the inhabitants of our city, but also to parents who may find it necessary to send their children from home for education. The regular habits and manners of this community; the refinement of its society; the public libraries, museums and academies; and abundant and accessible means of obtaining information upon every subject of human knowledge and interest; the excellence of the teachers in all the modern languages and the ornamental departments of education, present inducements of the highest character to select it as a place of education in its largest and best sense.

With a view to a more perfect supervision and regulation of the department of students from abroad, as well as from a careful regard for their health and comfort, it is contemplated to establish or select for them, good boarding houses, which shall be under the inspection of the Provost, who will occasionally look to the habits and conduct of the young men, and take care that full justice be done to them in their treatment and accommodation.

The building heretofore occupied by the College, after a careful examination, aided by the Faculty and the best architectural information that could be obtained, was found to be wholly unsuitable for the purposes of such an institution, and incapable of affording the accommodations that are indispensable. Nor could this be effected by any alterations in this building; which, after great expenditures, would leave us an imperfect, inconvenient and insufficient edifice. It was, therefore, after mature deliberation, determined to erect a new building corresponding externally with that erected for the medical school. The new building is in rapid progress, and will be ready to receive the classes in this next summer. In the meantime the duties of the Seminary are performed in the old College in Fourth street.

The trustees are highly gratified to witness that the renovation of the institution is already perceived and acknowledged by the public, whose returning confidence to it is manifested by an increase of the number of pupils greater than was anticipated by the most sanguine at so early a period, and by the cheering voice of approbation and encouragement which reach them from every quarter. Complete success is no longer considered to be doubtful; and the University of Pennsylvania will again stand eminent among the seminaries of learning of the United States. The legislature of the state will be gratified to see the funds bestowed upon this venerable institution employed in diffusing knowledge and virtue among her citizens; in forming great and enlightened men, and shedding honor on its patrons, and Philadelphia will be proud to be the seat of so much usefulness.

Philadelphia, Sept. 11, 1829.

|                     |                            |
|---------------------|----------------------------|
| Wm. White,          | N. Biddle,                 |
| Edw. Burd,          | Ch. Chauncey,              |
| W. Rawle,           | Jos. Hopkinson,            |
| James Gibson,       | J. R. Ingersoll,           |
| Hor. Binney,        | Philip F. Mayer,           |
| W. Meredith,        | Philip H. Nicklin,         |
| Benjamin Chew,      | Henry U. Onderdonk,        |
| Robert Waln,        | Robert Walsh, Jr.          |
| John Sergeant,      | John C. Lowber,            |
| T. Cadwalader,      | Tho. H. Skinner,           |
| Peter S. Duponceau, | James C. Biddle, Secretary |
| Zaccheus Collins,   | and Treasurer.             |

The Rev. Dr. James P. Wilson and Benjamin R. Morgan, Esq. trustees, whose names are not among those subscribed to the address, are absent from the city.

#### LAW CASE. RIGHT OF APPEAL.

Lauderbach  
vs.  
Boyd.

} Decided Feb. 24, 1829.  
Common Pleas.

King, President.—In this case the Alderman rendered judgment for the plaintiff, and on the same day the de-

fendant offered to enter bail for an appeal, which the Alderman declined taking on the ground of indisposition, and directed him to call the following week. The defendant accordingly called with his bail, when the Alderman being still indisposed again directed him to call in a few days, which he did, when bail was entered; not as the defendant desired, for an appeal, but as appears from the transcript, for stay of execution. When the bail was entered, the Alderman said he had not time to make out a transcript, and directed him to call for it at another time. The defendant called for the transcript three times subsequently, and when he received it, he carried it to the Prothonotary's office, who refused to file it as an appeal, the recognizance not being for an appeal, and being entered into more than 20 days after the rendition of judgment. Other circumstances are stated in the affidavit filed, but these are all I deem material to refer to. No counter affidavits were produced, nor do I understand the facts set forth in the plaintiff's affidavit to be disputed or denied.

Under these circumstances the defendant asks permission to file his appeal and enter into the recognizance required by law, *nunc pro tunc*. The right of the Court to give the defendant the relief prayed for, is denied, and whether the court possesses the power to grant this relief is the question involved in this decision.

The right of appeal, by which a trial by jury is given, is a great constitutional right, securing a precious privilege to the citizen, and one, of which, on principle he ought not to be deprived by the wilful or accidental omission of a Justice of the Peace, if after he is ready and willing to comply with all the legal prerequisites to such an appeal, he is to enjoy it or otherwise, according to the caprice or inability of the justice to do what the law directs him, in order to perfect this right, then the right is subject to a contingency that neither the law nor the principles of rational liberty, regulated by law, contemplate or would justify. It is true that in such a case he may seek his remedy against the defaulting magistrate, but such a remedy would often be found so illusory and vexatious, that many would rather submit to a wrong than seek a remedy through all the expense and toil of prolonged litigation. A simpler and more direct course of doing justice by the appellate jurisdiction, would be to do that themselves, which ought to have been done by the inferior tribunal, and thus place the party in the position secured to him by the constitution and laws of the country. All inducement to trifle with or practice upon the ignorant and the unwary would then be removed, and the certainty that revision could not be avoided by any species of management, would render inferior tribunals more careful, that their judgments should bear the test of subsequent scrutiny.

The right of the court to receive the Bail *now*, which ought to have been taken in due time by the magistrate, and by placing the appeal on the record of the term when it would have taken rank, had the justice complied with the obligations of the law, rests not only on the general principles of justice and right, but is maintainable from express and solemn adjudication of this court.

In the case of *Paulia vs. Peters* on Common Pleas, December term, 1821, No. 158, the bail for an appeal was entered on the 28th of September 1821, and the appeal was not filed until the 21st of the ensuing December; of course long after the first day of the next term, after entering the appeal, which was the period designated by law for filing it. Yet this Court being satisfied that the delay arose from the default of the justice in not furnishing the transcript in due season, sustained the appeal. There is too much liberality and good sense in this decision of my predecessor, to induce me to give my voice against the "stare decisis" in the case before us.

The authority of this Court to perfect a defective appeal, is expressly recognized in the case of *Cochran vs. Barker*, 6. Serg and Rawle 549. There a Justice of the Peace having taken an informal recognizance,

the court of Common Pleas of Dauphin county, granted a rule on the Justice to amend and perfect his return, in consequence of which, a subsequent amended transcript was filed. The Court in that part of their opinion which refers to the regularity of this second return, say "the Justice from the entry on his docket of" bail in appeal according to law; "*might on the rule of Court have made up and returned a recognizance in form.*" On another part of the same cause on which the Court take occasion to comment on the importance of the right of trial by jury, principles are discussed which cover the whole ground of the case before us, and which beside the force of authority have sound sense and sound logic to recommend them. "The right of trial by jury, so much prized by all who enjoy the blessings of the common law is guaranteed by the constitution of the United States and of this State.—However in its modifications it may be within the sphere of legislative enactments, to abrogate it transcends legislative powers. *Appeals are therefore highly favored: and when a party does all in his power, and all the law requires of him, it would be unjust to deprive him of it; from the mere inaccuracy or slip of the justice: and if he made it out in proof that he had entered into the stipulation prescribed to restore this precious privilege and great constitutional right, though the entry of it by the Justice in his docket was incomplete, or the Justice may have omitted to make an entry of it, either by accident or from ignorance or design; I think a Court would long hesitate before they come to the conclusion that the party had lost the benefit of his appeal and jury trial.*" *Cochran vs. Barker, 6, S. and R. 551.* The case supposed, *Judge Duncan*, has occurred; and surely we ought not to hesitate in applying the remedy he plainly considers in our power.

The Court therefore order the rule in this cause to be made absolute, and direct the appeal of the defendant to be filed on his entering into recognizance in this Court with surety to prosecute it with effect.

#### METEOROLOGICAL REGISTER,

AUGUST, 1829—KEPT IN CHILISQUAKE, BY J. P. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmosp. Variations. |         |
|------|------------|------|------|-------------|----|----|---------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.               | P. M.   |
| 1    | 29 5       | 29 5 | 29 5 | 71          | 75 | 78 | Cloudy              | Cloudy  |
| 2    |            |      |      |             |    |    |                     |         |
| 3    | 29 6       | 29 6 | 29 5 | 75          | 80 | 82 | Cloudy              | Clear   |
| 4    | 29 5       | 29 6 | 29 6 | 72          | 77 | 79 | Cloudy              | Sunshn. |
| 5    | 29 6       | 29 6 | 29 6 | 73          | 78 | 82 | Sunshn.             | Clear   |
| 6    | 29 6       | 29 6 | 29 6 | 78          | 85 | 82 | Sunshn.             | Show'rs |
| 7    | 29 5       | 29 5 | 29 6 | 75          | 79 | 83 | Cloudy              | Clear   |
| 8    | 29 6       | 29 6 | 29 6 | 76          | 83 | 87 | Clear               | Clear   |
| 9    |            |      |      |             |    |    |                     |         |
| 10   | 29 3       | 29 4 | 29 4 | 75          | 82 | 86 | Clear               | Clear   |
| 11   | 29 5       | 29 6 | 29 6 | 63          | 67 | 73 | Clear               | Clear   |
| 12   | 29 5       | 29 5 | 29 5 | 65          | 70 | 74 | Clear               | Cloudy  |
| 13   | 29 5       | 29 5 | 29 5 | 67          | 76 | 81 | Clear               | Sunshn. |
| 14   | 29 4       | 29 4 | 29 5 | 73          | 79 | 83 | Cloudy              | Sunshn. |
| 15   | 29 5       | 29 5 | 29 5 | 69          | 76 | 75 | Cloudy              | Cloudy  |
| 16   |            |      |      |             |    |    |                     |         |
| 17   | 29 5       | 29 5 | 29 4 | 72          | 76 | 74 | Cloudy              | Rain    |
| 18   | 29 2       | 29 2 | 29 2 | 73          | 76 | 75 | Rain                | Sunshn. |
| 19   | 29 5       | 29 5 | 29 5 | 64          | 69 | 71 | Clear               | Clear   |
| 20   | 29 6       | 29 6 | 29 6 | 60          | 69 | 72 | Clear               | Clear   |
| 21   | 29 7       | 29 7 | 29 7 | 63          | 73 | 75 | Clear               | Clear   |
| 22   | 29 6       | 29 6 | 29 6 | 65          | 76 | 78 | Cloudy              | Sunshn. |
| 23   |            |      |      |             |    |    |                     |         |
| 24   | 29 4       | 29 4 | 29 4 | 66          | 67 | 81 | Clear               | Clear   |
| 25   | 29 4       | 29 4 | 29 4 | 68          | 71 | 75 | Clear               | Clear   |
| 26   | 29 4       | 29 4 | 29 4 | 61          | 65 | 71 | Cloudy              | Clear   |
| 27   | 29 5       | 29 5 | 29 5 | 59          | 63 | 68 | Clear               | Clear   |
| 28   | 29 5       | 29 5 | 29 6 | 60          | 69 | 71 | Cloudy              | Cloudy  |
| 29   | 29 5       | 29 5 | 29 4 | 64          | 68 | 73 | Cloudy              | Cloudy  |
| 30   |            |      |      |             |    |    |                     |         |
| 31   | 29 5       | 29 6 | 29 5 | 70          | 75 | 79 | Cloudy              | Cloudy  |

#### EXPERIMENTS ON FUEL.

In November 1823, a series of very interesting experiments on fuel were commenced in this city by Marcus Bull, and pursued with great zeal for several years. On the 7th of April 1826, the result of the whole was communicated in a memoir to the American Philosophical Society—which in 1827, was published in a neat octavo volume.—to which we refer those who wish for information respecting the mode and apparatus adopted in making the experiments, which are there described with great minuteness, and discover much ingenuity and great patience—Our object is to lay before our readers only such facts, and general results as will, we believe, be useful and interesting respecting one of the most necessary articles in every family, and which at this season engages the attention of every house-keeper.

In the preliminary remarks, he makes the following statement respecting the quantities of fuel required for the consumption of the city.

See page—VI. VII. and VIII.

"I have recently ascertained with as much accuracy as was practicable, the quantity and value of the different kinds of fuel, already brought to Philadelphia, to supply its consumption in domestic economy, and for all other purposes, from March, 1826, to March, 1827. The quantity of wood was ascertained from the official returns made to the City Treasurer, by the corders, upon the public landings, and also from the private accounts and estimates of the corders upon all the other landings in the City and Liberties. The quantity of foreign coal was obtained from the Custom House books, and that of the remaining coals, from the most authentic sources within my reach.

*Estimate of Wood and Coals, required for the consumption of Philadelphia, from March, 1826, to March, 1827.*

D. C.

|  |              |
|--|--------------|
| 140,150 cords of Wood, average price 4 50    | 630,675      |
| 25,545 tons Lehigh & Schuylkill coal at 7 00 | 178,815      |
| 320,000 bushels of Pine Charcoal             | 10 32,000    |
| 95,000 do. of Richmond Coal                  | 30 28,500    |
| 30,465 do. of Liverpool Coal                 | 33 10,053,45 |
| \$880,043,45                                 |              |

The population of the City and Liberties of Philadelphia, at the present time, may be estimated at 125,000.† By dividing the whole cost of fuel, (880,043.45) by the number of inhabitants (125,000) we obtain \$7.04 as the average cost of fuel for each inhabitant, supposing the consumption to be equal; but as this is not the case, it is not my intention to apply this calculation individually, but to large portions of the community. Supposing each article to be sold at its true comparative value, we may infer from the foregoing calculation, that the quantity of fuel required in Philadelphia, for every purpose, would be nearly supplied by 125,000 tons of Lehigh or Schuylkill coal, or one ton for each inhabitant.†

If we look prospectively to the early period, when these coals may be expected to be furnished at \$5 per ton, their substitution for other kinds of fuel, in all cases where it is practicable—will become a matter of general interest."

"From the diversity in these results, it is apparent, that equal weights of different combustible bodies vary materially in the quantity of heat disengaged in their combustion."

\*The whole quantity of coal sent from these mines to Philadelphia in 1826, was 47,545 tons, of which 22,000 tons were sent abroad. [In 1828 it was 71,719 tons, see Reg. v. III, p. 80.]

†The population of the city and liberties, by the census for 1810 was 92,247, and for 1820, 108,116.

tion. The woods differ less perhaps in *equal weights* than has been generally supposed, and that difference will be found to correspond very nearly with the different quantities of carbon they contain; they are however of very different value in *equal quantities by measure*, in consequence of the great disparity in their *weight*. This remark is also applicable to those coals which are sold by measure and not by weight, from which circumstance, it becomes necessary to *caution* those who would attempt to ascertain the value of different articles of fuel by merely comparing their different results of heat in the table, without regard to their different weights.—The results being comparisons between articles in equal weight, cannot be compared with quantities by measure alone; hence the necessity of determining the weights of a given bulk of those articles sold in this manner, which will be found in the table in their respective columns, the manner of obtaining which will be hereafter detailed. The object of my experiments being practical utility, rather than scientific research, to facilitate the accomplishment of that desirable object, I have estimated the comparative values of the different articles. These will be found in the last column of the table, and are equally applicable not only to every market, but for every change in the prices that can take place.

The standard taken is shell-bark hickory, that being of greater weight than a cord of any other wood in the table, and disengaging in its combustion an equal quantity of heat from any given weight.

The comparative numbers express the value of one cord of each of the woods, one ton of the anthracite coals, and one hundred bushels of the bituminous coals, charcoal and coak, and although no one market is supposed to furnish for fuel every kind of wood contained in the table, yet the principal part will probably be found, and in markets where the woods are much mixed, averages may easily be made adapted to those markets. The column of comparative values was found in the following manner,

The value of a given quantity of fuel is directly proportional to the time that a given weight of it maintained the air of the room at a given temperature, and also to its *weight*. Hence assuming shell-bark hickory for a standard, since one pound of this wood maintained the air of the room at the given temperature 400 minutes, this being multiplied by 4469, the weight of a cord of this wood, we obtain 1787600 minutes as the time which the air of the room would have been maintained at the given temperature, by consuming one cord of this wood.

We then have the following proportion. As the product in time corresponding to one cord of shell-bark hickory, (1787600) is to its assumed value (100) so is the product of the weight of a given quantity of any other article into the time that one pound of it would maintain the air of the room at the given temperature, to the value of the given quantity of this article.

Thus for a cord of white ash wood:

$$\text{As } 1787600 : 100 :: 3450 \times 400 = 138000000 : 77$$

For a ton of Lehigh coal, of 2240 pounds:

$$\text{As } 1787600 : 100 :: 2240 \times 790 = 176960000 : 99$$

For 100 bushels of Cannel coal weighing 6525 pounds:

$$\text{As } 1787600 : 100 :: 6525 \times 630 = 411075000 : 230$$

A few examples will be sufficient to show the facility with which the comparisons may be made. For this purpose, we will assume the price of shell-bark hickory wood as at six dollars for a cord of 128 cubic feet, this being the average price in this market, and compare it with a cord of red-heart hickory. The comparative value of the former is 100, and of the latter 81. We

then have the following statement. As 100:600::81:486. Four dollars and eighty-six cents being the comparative value of a cord of red-heart hickory, and the difference between the price of this wood and its comparative value thus ascertained, shows how much dearer or cheaper it is than the wood with which it has been compared. We will suppose the price of red-heart hickory to be 5.75 and that of chesnut white oak to be 5 dollars. Then 81:575::86:610, is the value of the latter, which being sold at 5 dollars, is cheaper by one dollar and ten cents, than the red-heart hickory. If we take the mean of the comparative numbers for the eleven different species of oaks, which is 69, and compare them at 5 dollars, with shell-bark hickory at 6 dollars, 100:600::69:414, is the average value of these oaks, and at the prices specified, the hickory is the cheapest by nearly one dollar.

A mere examination of the comparative numbers, will show that a cord of white birch is 52 pr. ct. less in value than a cord of shell-bark hickory, and the difference *per cent.* may be calculated from the comparative numbers between any two articles sold at the same price.

We will now extend the comparison to some of the coals: and take for this purpose one cord of shell-bark hickory, at six dollars, and determine the comparative value of one ton of Lehigh Coal. As 100:600::99:594, which shows them to be of nearly the same value, supposing each article to be consumed under the same circumstances; but as this is not the case, and as this objection has been frequently stated to me by those who have confounded two distinct subjects, a momentary digression will be excused, to show the futility and irrelevancy of this objection. It is admitted that there may be greater disparity between the manner of consuming different kinds of fuel, than actually exists in their comparative value as usually sold; but this difference does not enhance or depress the value of the different articles, provided it is practicable to consume them in the same manner, which, with very few exceptions, may be done. The intrinsic value of the different kinds of fuel, and the loss or gain experienced by the different constructions of the apparatus used for their combustion, are distinct subjects of inquiry, and although both are necessary to be known, to effect any valuable improvement in the selection of the one and the construction of the other, yet it does not follow as a consequence, because the construction of a grate used for the combustion of Lehigh coal, is more economical than an open fire-place, that, therefore, one ton of the coal possesses greater intrinsic value than one cord of shell-bark hickory wood, as it would be equally relevant, to say, that the coal is intrinsically of less value, because the wood may be consumed in a sheet iron stove, which is a much more economical apparatus than the grate.

We will resume the subject by comparing one ton of Lehigh coal, at seven dollars, with one hundred bushels of Newcastle coal, at thirty-five dollars, which are the present prices in this market. As 99:700::198:1400, from which, it appears that fifty bushels of this coal are precisely equal in value to one ton of Lehigh coal, but as the Newcastle coal will cost seventeen dollars and fifty cents, and Lehigh coal costs only seven dollars, the latter is the cheaper article of fuel by 150 per cent.

If the value of a chaldron or bushel of the bituminous coal is required, the manner of obtaining a solution of either question, is obvious.

It will be apparent, that although shell-bark hickory has been taken, for convenience, as the standard, to construct the column of comparative values, the economist should take the cheapest article of fuel in the market, as his standard of comparison.

The experiments on the Lehigh, Schuylkill, Susquehanna, and Lackawaxen coals were repeated a number of times, in different quantities, but the results were found to be uniformly the same. Considerable difference was found in the results of pine charcoal, when

†These coals, as brought to market, are probably of the same value in equal weights, although a slight variation was found in my results, from the specimens experimented upon.

taken promiscuously from different parcels as brought to market, in consequence of the imperfect manner in which the charring process had been conducted, but as these coals are sold by measure, and not by weight, and as the bulk is not materially diminished in perfecting the process, the loss sustained from this circumstance being in part compensated by the heat disengaged in expelling the remaining inflammable matter, we may consider this defect, in ordinary cases, as unimportant; the result, however, is given for perfect charcoal.

The coak used to experiment upon was produced in the large way, and that which was most free from earthy, or other foreign matter, as well as most perfect in other respects, was selected. The heat resulting from its combustion is less than was anticipated, and shows that the commonly received opinion that it contains as much carbonaceous matter as charcoal, in equal weights, is erroneous, and what is still more erroneous, is, the opinion that any given quantity of coak, by *measure*, will in its combustion disengage as much heat as an equal quantity of the coal from which it is produced. One bushel of bituminous coal produces in retorts about one and a half bushels of coak, in consequence of swelling during the process, and yet its specific gravity is stated, in some tables, as nearly equal to that of the coal.

The composition balls of Lehigh coal, charcoal and fire clay, were made for the purpose of ascertaining whether a very economical fuel might not be formed of the culm or fine portions of the two former, by combining them with the latter article, as they possess very little value, the same practice having been adopted with considerable advantage in various parts of Europe.

The fire produced by these balls was found to be very clean and beautiful in its appearance; its superior cleanliness is in consequence of the ashes being retained by the clay, and the balls were found to retain their original shape, after they were deprived of the combustible materials. The beauty of the fire is enhanced by the shape and equality in the size of the balls, which, during the combustion, present uniform luminous faces. No difficulty was found in igniting or perfectly consuming the combustible materials of the balls, and the loss in heat, when compared with the combustion of the same quantity of each article, in their usual states of aggregation, was found to be only three per cent.

From a pile of swamp white oak of medium size, which had been cut the preceding winter, and weather seasoned during the interval, (this being the state in which the largest portion of wood is sold,) a half cord, or sixty four cubic feet, was accurately measured, and its weight was found to be 1928 avordupois pounds.

From experiments made to ascertain the weight of moisture absorbed by different woods, which had previously been made perfectly dry, and afterwards exposed in a room in which no fire was made during a period of twelve months, the average absorption by weight, for this period, was found to be 10 per cent. in forty six different woods, and 8 per cent. in the driest state of the atmosphere, and an unexpected coincidence was found to exist in the weight absorbed by forty-six pieces of charcoal made from the same kinds of wood, and similarly exposed, the latter being also 8 per cent.

The quantity of moisture absorbed by the woods individually, was not found to diminish with their increase in density; whilst it was found that the green woods, in drying, uniformly lost less in weight in proportion to their great density. Hickory wood taken green, and made absolutely dry, experienced a diminution in its weight of 37½ per cent., white oak, 41 per cent. and soft maple, 48 per cent.; a cord of the latter will therefore weigh nearly twice as much when green as when dry.

If we assume the mean quantity of moisture in the woods, when green, as 42 per cent., the great disadvantage of attempting to burn wood in this state must be obvious, as in every 100 pounds of this compound of wood and water, 42 pounds of aqueous matter must be expelled from the wood, and as the capacity of water

for absorbing heat is nearly as 4 to 1, when compared with air, and probably greater during its conversion into vapour, which must be effected before it can escape, the loss of heat must consequently be very great.

Table exhibiting the results of experiments made to determine the comparative loss of heat sustained by using apparatus of different construction, for the combustion of fuel.

| Description of apparatus used.  | Time the room was maintained at the same temperature, in the combustion of equal weights of fuel, compared with apparatus No. 9. | Weight of fuel required by each apparatus, to maintain the room at the same temperature, and for the same time, compared with No. 9. |
|---|--|--|
| No.1. Chimney fire-place, of ordinary construction for burning wood,  | 10   | 1000   |
| 2. Open Parlour Grate, of ordinary construction, for burning anthracite coal, - - -   | 18   | 555  |
| 3. Open Franklin Stove, with one elbow joint, & 5 feet of six inch pipe placed vertically, the fire-place being closed with a fire-board, -   | 37   | 270  |
| 4. Cast Iron ten-pl. Stove, with one elbow joint, & five feet of four inch pipe, placed horizontally, entering the fire-board, - - -  | 45   | 222  |
| 5. Sheet iron cylinder stove, the interior surface coat'd with clay lute with one elbow joint, & 5 ft of 2 inch pipe, placed horizontally, entering the fire-board, -   | 67   | 149  |
| 6. Sheet iron cylinder stove, as before described, with 13½ feet of 2 inch pipe, in which there were 3 elbow joints, the whole placed as follows: 3½ ft horizontally, 5 ft vertically, for an ascending current, & 5 ft. vertically, for a descending current, entering the fire-board, - | 78   | 128  |
| 7. Sheet iron cylinder Stv. as before describ'd with 13½ ft. of 2 inch pipe, in which there were 3 elbow joints, placed as follows: 9 inches vertically, and 12½ feet horizontally, entering the fire-board, -  | 82   | 122  |
| 8. Sheet iron cylinder Stove, as before described, with nine elbow joints, measuring 13½ feet of two inch pipe, entering the fire-board, -  | 95   | 105  |
| 9. Sheet iron cylinder Stove, as before described, with forty-two feet of two inch pipe, as used in the course of experiments on fuel, -  | 100  | 100  |

| Common names of woods and Coals.                               | Specific Gravities of dry Wood. | Avoidupois pounds of dry Wood in one cord. | Product of Charcoal from 100 parts of dry Wood, by weight. | Specific Gravities of dry coal. | Pounds of dry coal in one Bushel. | Pounds of Charcoal from one cord of dry Wood. | Bushels of charcoal from one cord of dry Wood. | Time 10 degrees of Heat were maintained in the room, by the combustion of one pound of each article. | Value of specified quantities of each article, compared with Shell-bark Hickory as the standard. |
|--|---------------------------------|--|--|---------------------------------|-----------------------------------|---|--|--|--|
|  |                                 |  |  |                                 |                                   |   |  | H. M.  | Cord.  |
| White Ash,   | .772                            | 3450                                       | 25.74  | .547                            | 28.78                             | 688   | 31   | 6 40   | 77   |
| Apple Tree,  | .697                            | 3115                                       | 25   | .445                            | 23.41                             | 779   | 33   | 6 40   | 70   |
| White Beech,   | .724                            | 3236                                       | 19.62  | .518                            | 27.26                             | 635   | 23   | 6  | 63   |
| Black Birch,   | .697                            | 3115                                       | 19.40  | .428                            | 22.52                             | 604   | 27   | 6  | 48   |
| White Birch,   | .530                            | 2369                                       | 19   | .364                            | 19.15                             | 450   | 24   | 6  | 51   |
| Butter-nut,  | .567                            | 2534                                       | 20.79  | .237                            | 12.47                             | 527   | 42   | 6  | 56   |
| Red Cedar,   | .565                            | 2525                                       | 24.72  | .238                            | 12.52                             | 624   | 50   | 6 40   | 52   |
| American Chestnut.   | .522                            | 2333                                       | 25.29  | .379                            | 19.94                             | 590   | 30   | 6 40   | 55   |
| Wild Cherry,   | .597                            | 2668                                       | 21.70  | .411                            | 21.63                             | 579   | 27   | 6 10   | 75   |
| Dog wood,  | .815                            | 3643                                       | 21   | .550                            | 28.94                             | 765   | 26   | 6 10   | 58   |
| White Elm,   | .580                            | 2592                                       | 24.85  | .357                            | 18.79                             | 644   | 34   | 6 40   | 67   |
| Sour Gum,  | .703                            | 3142                                       | 22.16  | .400                            | 21.05                             | 696   | 33   | 6 20   | 57   |
| Sweet Gum,   | .634                            | 2834                                       | 19.69  | .413                            | 21.73                             | 558   | 26   | 6  | 100  |
| Shell-bark Hickory,  | 1.000                           | 4469                                       | 26.22  | .625                            | 32.89                             | 1172  | 36   | 6 40   | 95   |
| Pig-nut Hickory,   | .949                            | 4241                                       | 25.22  | .637                            | 33.52                             | 1070  | 32   | 6 40   | 81   |
| Red-heart Hickory,   | .829                            | 3705                                       | 22.90  | .509                            | 26.78                             | 848   | 32   | 6 10   | 72   |
| Witch-hazel,   | .784                            | 3505                                       | 21.40  | .368                            | 19.63                             | 750   | 39   | 6 10   | 57   |
| American Holly,  | .602                            | 2691                                       | 22.77  | .374                            | 19.86                             | 613   | 31   | 6 20   | 65   |
| American Hornbeam,   | .720                            | 3218                                       | 19   | .455                            | 23.94                             | 611   | 25   | 6  | 66   |
| Mountain Laurel,   | .663                            | 2963                                       | 24.02  | .457                            | 24.05                             | 712   | 30   | 6 40   | 60   |
| Hard Maple,  | .644                            | 2878                                       | 21.43  | .431                            | 22.68                             | 617   | 27   | 6 10   | 54   |
| Soft Maple,  | .597                            | 2668                                       | 20.64  | .370                            | 19.47                             | 551   | 28   | 6  | 56   |
| Large Magnolia,  | .605                            | 2704                                       | 21.59  | .406                            | 21.36                             | 584   | 27   | 6 10   | 86   |
| Chesnut White oak,   | .885                            | 3955                                       | 22.76  | .481                            | 25.31                             | 900   | 36   | 6 30   | 81   |
| White oak,   | .855                            | 3821                                       | 21.62  | .401                            | 21.10                             | 826   | 39   | 6 20   | 74   |
| Shell-bark white oak,  | .775                            | 3464                                       | 21.50  | .437                            | 22.99                             | 745   | 32   | 6 20   | 73   |
| Barren Scrub oak,  | .747                            | 3339                                       | 23.17  | .392                            | 20.63                             | 774   | 38   | 6 30   | 71   |
| Pin oak,   | .747                            | 3339                                       | 22.22  | .436                            | 22.94                             | 742   | 32   | 6 20   | 71   |
| Scrub Black oak,   | .728                            | 3254                                       | 23.80  | .387                            | 20.36                             | 774   | 38   | 6 30   | 69   |
| Red oak,   | .728                            | 3254                                       | 22.43  | .400                            | 21.05                             | 630   | 30   | 6 20   | 66   |
| Barren oak,  | .694                            | 3102                                       | 22.37  | .447                            | 23.52                             | 694   | 29   | 6 20   | 61   |
| Rock Chesnut oak,  | .678                            | 3030                                       | 20.86  | .436                            | 22.94                             | 632   | 28   | 6  | 60   |
| Yellow oak,  | .653                            | 2919                                       | 21.60  | .295                            | 15.52                             | 631   | 41   | 6 10   | 52   |
| Spanish oak,   | .548                            | 2449                                       | 22.95  | .362                            | 19.05                             | 562   | 30   | 6 20   | 69   |
| Persimon,  | .711                            | 3178                                       | 23.44  | .469                            | 24.68                             | 745   | 30   | 6 30   | 54   |
| Yellow Pine, (soft)  | .551                            | 2463                                       | 23.75  | .333                            | 17.52                             | 585   | 33   | 6 30   | 48   |
| Jersey Pine,   | .478                            | 2137                                       | 24.88  | .385                            | 20.26                             | 532   | 26   | 6 40   | 43   |
| Pitch pine,  | .426                            | 1904                                       | 26.76  | .298                            | 15.68                             | 510   | 33   | 6 40   | 42   |
| White Pine,  | .418                            | 1868                                       | 24.35  | .293                            | 15.42                             | 455   | 30   | 6 40   | 52   |
| Yellow Poplar,   | .563                            | 2516                                       | 21.81  | .383                            | 20.15                             | 549   | 27   | 6 10   | 40   |
| Lombardy Poplar,   | .597                            | 1774                                       | 25   | .245                            | 12.89                             | 444   | 34   | 6 40   | 59   |
| Sassafras,   | .618                            | 2762                                       | 22.58  | .427                            | 22.47                             | 624   | 28   | 6 20   | 84   |
| Wild service,  | .887                            | 3964                                       | 22.62  | .594                            | 31.26                             | 897   | 29   | 6 20   | 52   |
| Sycamore,  | .535                            | 2391                                       | 23.60  | .374                            | 19.68                             | 564   | 29   | 6 30   | 65   |
| Black walnut,  | .681                            | 3044                                       | 22.56  | .418                            | 22                                | 687   | 31   | 6 20   | 73   |
| Swamp whortleberry   | .752                            | 3361                                       | 23.30  | .505                            | 26.57                             | 783   | 29   | 6 30   |  |
| Lehigh Coal,   | —                               | —  | —  | 1.494                           | 78.61                             | —   | —  | 13 10  | Ton. 99  |
| Lacawaxen coal,  | —                               | —  | —  | 1.400                           | 73.67                             | —   | —  | 13 10  | 99   |
| Rhode Island coal,   | —                               | —  | —  | 1.438                           | 75.67                             | —   | —  | 9 30   | 71   |
| Schuylkill coal,   | —                               | —  | —  | 1.453                           | 76.49                             | —   | —  | 13 40  | 103  |
| Susquehanna coal,  | —                               | —  | —  | 1.373                           | 72.25                             | —   | —  | 13 10  | 99   |
| Swatara coal,  | —                               | —  | —  | 1.459                           | 76.77                             | —   | —  | 11 20  | 85   |
| Worcester coal,  | —                               | —  | —  | 2.104                           | 110.71                            | —   | —  | 7 50   | 59   |
| Cannel coal,   | —                               | —  | —  | 1.240                           | 65.25                             | —   | —  | 10 30  | Bush 230   |
| Liverpool coal,  | —                               | —  | —  | 1.331                           | 70.04                             | —   | —  | 9 10   | 215  |
| Newcastle coal,  | —                               | —  | —  | 1.204                           | 73.35                             | —   | —  | 9 20   | 198  |
| Scotch coal,   | —                               | —  | —  | 1.140                           | 59.99                             | —   | —  | 9 30   | 191  |
| Karthauss coal,  | —                               | —  | —  | 1.263                           | 66.46                             | —   | —  | 9 20   | 208  |
| Richmond coal,   | —                               | —  | —  | 1.246                           | 65.56                             | —   | —  | 9 20   | 205  |
| Stony creek coal,  | —                               | —  | —  | 1.396                           | 73.46                             | —   | —  | 9 50   | 243  |
| Hickory charcoal,  | —                               | —  | —  | .625                            | 32.89                             | —   | —  | 15   | 166  |
| Maple charcoal,  | —                               | —  | —  | .431                            | 22.68                             | —   | —  | 15   | 114  |
| Oak charcoal,  | —                               | —  | —  | .401                            | 21.10                             | —   | —  | 15   | 106  |
| Pine charcoal,   | —                               | —  | —  | .285                            | 15                                | —   | —  | 15   | 73   |
| Coak,  | —                               | —  | —  | .557                            | 29.31                             | —   | —  | 12 50  | 126  |
| Compn. of 2 pts Leh Coal, 1 charcoal, and one clay, by weight, | —                               | —  | —  | —                               | —                                 | —   | —  | 13 20  |  |



## LAW CASE.

*Rights of a Landlord under a voluntary Assignment.*

Catharine Morris,  
vs.  
John Parker and  
Chas. Shaw, Assign-  
ees of Haines & Pim.

Common Pleas,  
M. 22, No. 25.

*Case Stated.*

It is agreed that Messrs. Haines & Pim rented a house of the plaintiff in south Second street, at the rate of \$240 per annum, payable quarterly. That they entered into possession the 25th June 1827 paid the first quarter's rent & continued two month and—days in the second quarter. That on the 17th day of November. A. D. 1827, the said Haines and Pim made an assignment in trust for the benefit of creditors as per assignment, and the defendant let the goods remain in the premises 11 days after the assignment, when the defendants paid the plaintiff \$7 64 and gave her the key; and a new tenant entered, and then the goods were sold and removed by the purchasers. The plaintiff applied to Esqr. Renshaw to prevent the removal under the late law, but before actually instituting any proceedings for that purpose she went to the defendants, before the sale of the goods, who agreed to pay if the goods were liable under the act of Assembly, or if they were liable as assignees, under the circumstances, for the rent due at the time of the sale and removal. The question submitted to the Court is, whether the assignees in trust for the benefit of the creditors of the tenant who took possession of the goods of the tenant on the premises, after the commencement of the quarter; and after some days, and before the expiration of the quarter, sold them are, under the facts stated, liable for the rent from the commencement of the quarter to the time of sale and removal.

By the Court: KING, President. (after stating the case) the defendants are supposed to be liable to the demands of the plaintiff, either under the general principles of law arising from the circumstances of the case, or by virtue of the provisions of the 1st section of the "supplement" to the laws regulating distresses for rent, passed the 25th day of March, 1825—Pamphlet Laws, 114.

From the manner in which the case is stated, it would seem that the plaintiff is under the impression that she is entitled to a preference over the general creditors of Haines & Pim, out of the proceeds of the goods on the premises at the time of the assignment to the defendants. In this however, in my judgment, she is mistaken. The preference of a landlord under such circumstances arises from his right to distrain the goods assigned: and where that right does not exist, as it clearly did not in this case, the rent not being due and in arrear, or where if the right to distrain does exist, he omits to exercise it, but suffers a bona fide sale and removal by the assignees; he stands in the same position with respect to the proceeds of the sale as any other creditors. This is the rule even in bankruptcy, which being a statutory execution, the preference of the landlord at least for a year's rent, might from analogy have with some plausibility been established. *Ex parte Plummer* 1. Atkyns 103—Braydell and Bell 1. Bro. 427, 1. Cook's Bankrupt Law, 173, Section 8th, 5th edition. The assignee under a voluntary assignment stands in the same position with respect to a landlord as any other bona fide purchaser. He is, or rather his goods are liable for rent in arrear while they remain on the premises; but when no rent is in arrear, or if the goods are bona fide sold and removed from the demised premises, the landlord has no specific lien for his rent on such goods or preferred claim on the avails of them in the hands of the assignees, for distribution according to the trusts of the assignment.

It is to be kept in view that no question is raised in this case, how far assignees under a general assignment who entered into and took possession of a term for years, which passed under the assignment, would be subject

to rent in arrear anterior to the assignment; the question here presented, being a claim for priority of payment out of the proceeds of chattels which passed under the assignment and which were then on the demised premises.

The second ground on which the plaintiff supposes this action supportable, arises from the provisions of the act of the 25th of March 1825. The first section of that act declares that if any tenant for life or years of any messuage, &c. upon the demise whereof any rents are, or shall be reserved, shall, before such rent becomes due, fraudulently convey away and carry off, or from such demised premises, his goods or chattels, with intent to defraud the landlord of his remedy by distress, it shall be lawful for such landlord to consider his rent apporportioned up to the time of such conveying away and carrying off, and for him within thirty days next ensuing, to seize the same and proceed to dispose thereof, for the rent so apporportioned as is directed by existing laws.

The construction of this act and the class of removals to which it applied, was settled by this court, so far at all events as to regulate our decisions under it, in the case of Purfel vs. Sands, decided at March term, 1827. We there held "that it is not every removal, rent being in arrear or unpaid, that will authorize a landlord under this act or that to which it is a supplement, to follow and distrain his tenant's goods off the premises. To justify such a procedure, the removal must be fraudulent. The nature of fraud and the innumerable shapes it assumes render it impracticable to point out precisely what will amount to a fraudulent removal: but there is no difficulty in saying, that an open and notorious removal in the day-time, although no notice was given to the landlord, is not fraudulent within the meaning of these acts." *Grace vs. Shively* 12. Serg. & Rawle, 281—*Hooper vs. Crowley* 1d. 218. We do not say now, nor did we say then, that a removal in the day time cannot be fraudulent; because circumstances may exist in such a removal as would clearly indicate it to be fraudulent. But we say in this case, as we did in *Purfel vs. Sands*, that there were no circumstances disclosed in the case which would justify a distress under the act of March 1825. Any such attempt by the plaintiff would have been wholly illegal and unauthorised.

The defendant's promise to pay this rent, being conditional and dependent either on their liability as assignees, from having received the proceeds of goods on the premises when the assignment was made, no rent being in the arrear or on the liability of the goods under all circumstances to be distrained upon; under the provisions of the act of March 1825; and the court being of opinion with them on both points, the judgment must be in their favor. Of course our decision does not interfere with the right of the plaintiffs to a prorato part of the funds in the hands of the defendants with the other creditors of the same grade, or her claim for payment by the defendants for the use of her house for eleven days, which she has actually received; it being made on the general questions submitted in the case. Judgment for the defendants.—*U. S. Gazette.*

*Coal.*—Many of our newly opened veins are assuming appearances similar to those which characterize Mauch Chunk. They are of various sizes from twenty to thirty feet in thickness, and generally present a less inclination than smaller ones. They are mostly contiguous to Mine Hill and the Broad Mountain. One has been opened by Messrs. Pott and Bannan in the latter range, in which, after descending about twenty-eight feet they encountered a small vein, and digging through that came again to a variegated coal, of the finest quality. Up Mill Creek, (on the portion denominated the 'Lee tract,') another has been opened by Mr. Eyer, to the depth of twenty-eight feet, and the bottom slate has not yet been reached. The same vein is again opened by Messrs. Woodside and Beck on the same tract. It appears to decrease in size as it advances West, and it has



been traced to the Flowery Field tract of Ridgway, Cumming, &c. and opened by Wallace, Burr and Co. to the extent of twelve feet. The coal throughout is of a beautiful texture, of a jet color, with a lustre strongly vitreous. Its ignition is easily accomplished, and it burns without cinder to a clear white ashes. Veins have likewise been opened in the Schuylkill Valley which are supposed to be the same as those already mentioned. On the Broad Mountain also, a vein has been opened to the depth of thirty feet, by Messrs. Eldridge, Shoemaker and Lippincott, which has produced some specimens of uncommon fine coal.

From all these appearances, we are more firmly inclined to what has ever been our opinion, that the Lehigh coal at Mauch Chunk is not *en masse*, but in reality a vein of extraordinary dimensions, or probably the eastern termination of all the principal veins in the anthracite range, from whence they radiate to the length of eighty miles. The intersection of the coal strata is the same in all, and we think it a reasonable conjecture to presume, that after the discovery of these veins, we can with equal facilities, double the quantity of our exports.—*Miners' Journal*.

The first number of "The Journal of Health" has just made its appearance in this city. The work is to be "conducted by an association of physicians," the object of which is stated in the following extract from the prospectus:

"Deeply impressed with a belief, that mankind might be saved a large amount of suffering and disease, by a suitable knowledge of the natural laws to which the human frame is subjected, they propose laying down plain precepts, in easy style and familiar language, for the regulation of all the physical agents necessary to health, and to point out under what circumstances of excess or misapplication they become injurious and fatal."

The Norristown Bridge over the River Schuylkill, eight hundred feet in length, exclusive of the abutments, is now so far completed that foot passengers can pass over. In a few weeks more we expect it will be passable without any difficulty.—*Herald*.

The Richmond Compiler contains a notice of an Excavator, or Self-Loading Cart, invented by Mr. W. Beach, of Philadelphia. It is described as loading itself in its progress by means of one of the wheels, which is hollow, taking up forty square feet of earth in one minute. This is carried to any distance as in a common cart; and the load deposited or unloaded in less than half a minute, without trouble, by opening the bottom of the cart. The inventor states that one of his carts is now at work on the rail-road, within a mile and a half of the Schuylkill river, near Philadelphia; that it is worked by a man and a boy, and three horses, and removes and embanks in a day twice as much earth as is removed by three common carts and twenty men, who are working at the same place. Thus doing (says Mr. B.) the same work at about one-sixth of the cost it would be in the ordinary mode. The Excavator can be made for nearly the same price as a common three horse cart, and quite as easily kept in order. It seems to be entitled to the notice of enterprising contractors.

*Balt. American, Sept. 1.*

**Died.**—At her late residence in Chillisquaque township, on Thursday last, Mrs. *Margaret Durham*, widow of the late James Durham, aged 74 years. The deceased was among the first settlers of this section of Pennsylvania, and partook largely in the toils and dangers of the Revolution. When the thinly scattered population fled before the Savages, for refuge in the lower counties, she was overtaken, not far distant from this place, the Tomahawk was thrust into her head, her scalp taken and she left apparently dead.—Happily,

however, she survived the bloody deed to be a mother to a large and respectable offspring, and a blessing to society, to which she has left the bright example of a life of virtue and good works, inseparable from that faith "which works by love and overcomes the world."

PITTSBURG, SEPT. 9.

**The Weather.**—It has, for a long time, been very dry, hot, and dusty. The streams are dried up, the fields are parched, the grass is burnt and the people are nearly choked up; and, as a consequence, there is no grinding, and flour is scarce. There is also little milk, and less churning, and our market is poorly, very poorly, supplied with butter. Notwithstanding this, we did very well while green corn lasted; but that too has dried up, and people has become rather husky. For nearly five weeks we have been without rain, and during the hottest month, including the dog-days, we have scarcely had a sprinkle.—On Sunday last we had barely enough to lay the dust; and what is most disheartening, we have now a most gloomy prospect of continued fair weather.

*To the Citizens of Pennsylvania.*

YOU were fully informed, by several Circular Letters distributed throughout the State about a year since, that "*The Pennsylv. Society for the Promotion of Public Schools*" had caused to be instructed a number of competent individuals in the knowledge of the Lancasterian System, in order to supply the means of education at moderate rates, where the population was dense enough to establish schools on that plan. It is highly gratifying to the Society that its efforts and purposes have been appreciated, and that in several remote parts of the Commonwealth education is now imparted through the instrumentality of the instructors sent from this city. Encouraged by these gradual and certain proofs of the usefulness of its labours, the Society is induced to address itself again to your notice, with an offer of its service to furnish well qualified teachers at reasonable salaries, according to the number and situation of the inhabitants who may desire schools.

It were scarcely needful to add a sentence on the importance of sowing knowledge broad-cast over the land, or to remind an observing people that virtue and intelligence are the ornament and security of our free institutions.

On behalf of the society.

ROBERTS VAUX, *President*.

A. H. RICHARDS, *Secretary*.

Philadelphia, 9 Mo. (September) 7, 1829.

Communications are to be addressed to George M. Stroud, Esq. Corresponding Secretary, Philadelphia, stating the number of inhabitants, where the school is to be established, the expenses of living, &c.

The Harrisburg Chronicle of the 14th instant, says—"The canal is in navigable order from Middletown to Clark's ferry. Three boats loaded with lumber for the bridge at Clark's ferry, passed up this morning; and 3 boats were at High Spire, on their way to this place, loaded with merchandise."

At the Labyrinth Garden of Mr. Smith, there is an apple tree, full of fruit, and has a fine show of blossoms. *Philada. Sept. 15.*

They have a cabbage in Lancaster weighing 25 lbs.

Printed every SATURDAY MORNING by WILLIAM F. GEDDES, No. 59 Locust Street, Philadelphia; where, and at the PUBLICATION OFFICE, IN FRANKLIN PLACE, second door back of the Post Office, (back room) subscriptions will be thankfully received. Price FIVE DOLLARS per annum, payable annually by subscribers residing in or near the city, or where there is an agent. Other subscribers *fa in advance*.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## MINUTES OF THE PROCEEDINGS OF THE CONVENTION OF THE STATE OF PENN- SYLVANIA,

*Held at Philadelphia, the 15th day of July, 1776, and  
continued by adjournment to September the 28th fol-  
lowing, with the CONSTITUTION of the said State.*

At a Meeting of the Convention for the State of Penn-  
sylvania, held at the State-house, in the City of Phila-  
delphia, on the 15th day of July, 1776.

*Monday, July 15, 1776, P. M.*

The respective judges for the city of Philadelphia  
and the several counties made their return as follows,  
viz:—

### *For the City of Philadelphia.*

|                   |                    |
|-------------------|--------------------|
| Timothy Matlack,  | James Cannon,      |
| Benjamin Franklin | George Clymer,     |
| Frederick Kuhl,   | George Schlosser,  |
| Owen Biddle,      | David Rittenhouse. |

### *For the County of Philadelphia.*

|                  |                     |
|------------------|---------------------|
| Frederick Antis, | John Bull,          |
| Henry Hill,      | Thomas Potts,       |
| Robert Loller,   | Edward Bartholomew, |
| Joseph Blewer,   | William Coates.     |

### *For the County of Bucks.*

|                 |                           |
|-----------------|---------------------------|
| Joseph Hart,    | William Vanhorn,          |
| John Wilkinson, | John Grier,               |
| Samuel Smith,   | Abraham Van Middleswarts, |
| John Keiler,    | Joseph Kirkbride.         |

### *For the County of Chester.*

|                       |                    |
|-----------------------|--------------------|
| Benjamin Bartholomew, | Samuel Cunningham, |
| John Jacobs,          | John Hart,         |
| Thomas Strawbridge,   | John Mackey,       |
| Robert Smith,         | John Fleming.      |

### *For the County of Lancaster.*

|                    |                   |
|--------------------|-------------------|
| George Ross,       | Joseph Sherrer,   |
| Philip Marsteller, | John Hubley,      |
| Thomas Porter,     | Henry Slaymaker,  |
| Bartram Galbreath, | Alexander Lowrey. |

### *For the County of York.*

|                 |                   |
|-----------------|-------------------|
| John Hay,       | Francis Crazart,  |
| James Edgar,    | James Smith,      |
| William Rankin, | Robert M'Pherson, |
| Henry Slagle,   | Joseph Donaldson. |

### *For the County of Cumberland.*

|                   |                   |
|-------------------|-------------------|
| John Harris,      | William Duffield, |
| Jonathan Hoge,    | James Brown,      |
| William Clarke,   | Hugh Alexander,   |
| Robert Whitehill, | James M'Cleane.   |

### *For the County of Berks.*

|                  |                    |
|------------------|--------------------|
| Jacob Morgan,    | Daniel Hunter,     |
| Gabriel Heister, | Valentine Eckart,  |
| John Leshar,     | Charles Shoemaker, |
| Benjamin Spyker, | Thomas Jones.      |

### *For the County of Northampton.*

|                   |                 |
|-------------------|-----------------|
| Simon Dresbach,   | Jacob Stroud,   |
| Jacob Arndt,      | Neigal Gray,    |
| Peter Buckholder, | Abraham Miller, |
| Peter Rhoads,     | John Ralston.   |

### *For the County of Bedford,*

|                  |                |
|------------------|----------------|
| Thomas Smith,    | Joseph Powell, |
| John Wilkins,    | Henry Rhoads,  |
| Benjamin Elliot, | John Burd,     |
| Thomas Coulter,  | John Cesna.    |

### *For the County of Northumberland,*

|                |                 |
|----------------|-----------------|
| William Cooke, | Walter Clark,   |
| James Potter,  | John Kelley,    |
| Robert Martin, | James Crawford, |
| Matthew Brown, | John Weitzell.  |

### *For the County of Westmoreland,*

|              |                        |
|--------------|------------------------|
| James Barr,  | John Carmichael,       |
| Edward Cook, | James Perry,           |
| James Smith, | John M'Clellan,        |
| John Moore,  | Christopher Lavingair. |

The convention adjourned to three o'clock to-mor-  
row in the afternoon.

*Tuesday, July 16, 1776, P. M.*

Doctor Benjamin Franklin, was unanimously chosen  
President.

Colonel George Ross, was unanimously chosen Vice-  
President.

John Morris, Esq. was chosen Secretary.

Mr. Jacob Garrigues, was chosen assistant clerk to the  
Secretary.

Mr. Morris not being in this city at present, Col. Mat-  
lack is requested to perform the duty of secretary, till  
Mr. Morris may return.

The qualification and profession of faith recommended  
by the conference of committees, held at Philadelphia  
on the 25th of June last, were read, taken and subscri-  
bed by all the members now present, viz:

|                     |                    |
|---------------------|--------------------|
| Benjamin Franklin,  | Henry Slaymaker,   |
| Timothy Matlack,    | Alexander Lowrey,  |
| Frederick Kuhl,     | John Hay,          |
| Owen Biddle,        | James Edgar,       |
| James Cannon,       | Francis Crazart,   |
| George Clymer,      | James Smith,       |
| George Schlosser,   | Robert M'Pherson,  |
| David Rittenhouse,  | Joseph Donaldson,  |
| Frederick Antis,    | John Harris,       |
| Henry Hill,         | Jonathan Hoge,     |
| Robert Loller,      | William Clarke,    |
| Joseph Blewer,      | William Duffield,  |
| John Bull,          | James Brown,       |
| Edward Bartholomew, | James M'Cleane,    |
| Joseph Hart,        | Jacob Morgan,      |
| John Wilkinson,     | Gabriel Heister,   |
| Samuel Smith,       | John Leshar,       |
| John Keller,        | Benjamin Spyker,   |
| William Vanhorn,    | Daniel Hunter,     |
| John Grier,         | Charles Shoemaker, |
| Joseph Kirkbride,   | Thomas Jones,      |
| John Hart,          | Simon Dresbach,    |
| Thomas Strawbridge, | Jacob Arndt,       |
| Robert Smith,       | Peter Buckholder,  |
| Samuel Cunningham,  | Peter Rhoads,      |
| John Mackey,        | Jacob Stroud,      |
| George Ross,        | Neigal Gray,       |
| Bartram Galbreath,  | Abraham Miller,    |
| Joseph Sherrer,     | John Ralston,      |
| John Hubley,        | Thomas Smith.      |

John Wilkins,  
Benjamin Elliott,  
Thomas Coulter,  
Joseph Powell,  
Henry Rhoads,

John Burd,  
John Cesna,  
Walter Clark,  
John Kelly, and  
James Crawford.

*William Sheed*, is appointed door-keeper.

On motion, Resolved, That application be made to Gen. Roberdeau, requesting him to issue an order, for permitting *John Morris*, Esq. and *Jacob Garrigues*, to return to this city, they being appointed to the office of secretary and assistant clerk to this convention.

*Wednesday, July 17, 1776.*

Upon motion, Resolved, That the reverend *William White* be requested to perform divine service to-morrow morning before this convention, that we may jointly offer up our prayers to Almighty God to afford us his divine grace and assistance in the important and arduous task committed to us; and to offer up our praises and thanksgivings for the manifold mercies and the peculiar interposition of his special providence in behalf of these injured, oppressed and insulted united states.

Colonel Matlack and Mr. Clymer are appointed to wait on the Rev. Mr. White, and furnish him with a copy of the foregoing resolve.

*Mr. Matthew Brown, John Flemming, Philip Marsteller, and Robert Whitehill* appeared in the house for the first time, took the oaths, and made and signed the profession of faith required.

*Thursday, July 18, 1776, A. M.*

Mr. Morris, the secretary, now attending, it was ordered, upon motion, that he should take the following affirmation, viz:

"I, John Morris, do declare that I do not hold myself bound to bear allegiance to GEORGE the third, king of Great Britain; and that I will steadily and firmly at all times promote the most effectual means, according to the best of my skill and knowledge, to oppose the tyrannical proceedings of the king and parliament of Great Britain against the American colonies, and support a government in this state on the authority of the people;—And that, as secretary of this convention, I will be faithful, and make fair and just minutes of all their proceedings according to the best of my abilities, and keep all such secrets as shall be directed to be kept by the convention."—Which he did accordingly.

Ordered also, That the clerk, when he shall come, shall make a declaration to the like import.

The Rev. Mr. White attending, agreeable to the request of yesterday, and having performed divine service, and being withdrawn, it was

Ordered, on motion, That Mr. Matlack and Mr. Clymer wait upon that gentleman with the thanks of the convention for his services.

On motion, That a committee be appointed to draw up rules and regulations for the government of this convention, in their proceedings.

Ordered, That Mr. Ross, Mr. Matlack, and Mr. Jacobs be a committee for that purpose.

The gentlemen appointed to draw up rules and regulations for the government of this convention in their proceedings, withdrew, and after some time brought in an essay for that purpose, which being read was agreed to, and is as followeth, viz.

1st. That the members when speaking, address themselves to the chair.

2d. That no member interrupt a member, when speaking.

3d. That no member use indecent or reflecting language, or wilfully pervert the sense of what another member has said.

4th. That the members are not to use each other's names, but in their answers, to take notice of their time of speaking, or their situation as to the right or left of the chair, &c.

5th. That no member cross between the chair and a speaking member.

6th. That the president have a right to call to order,

where a member may wander from the matter in debate.

7th. That no member speak above twice on the same subject, without obtaining leave from the convention.

8th. That where any debate proves very tedious, and any four members rise and call for the question, the president shall put the same.

9th. That where the president shall enjoin secrecy, it is expected that every member is bound by his honor to observe the same.

10th. That where the house is equally divided, the president shall have the casting vote.

Upon motion, Resolved, That two-thirds of the persons chosen as members of this convention, be a quorum.

Upon motion, Resolved, That no member of this convention absent himself without leave.

Upon motion, To resume the consideration of the letter from the *Virginia* delegates, it was agreed to postpone the same for some time, as the members from *Westmoreland* are not yet arrived.

Upon motion, and after debate, Resolved, That a committee be appointed to make an essay for a declaration of rights for this state.

Resolved also, That the said committee consist of eleven persons, viz. Mr. Biddle, Col. Bull, the Rev. Mr. Vanhorn, Mr. Jacobs, Col. Ross, Col. James Smith, Mr. Hoge, Mr. Morgan, Col. Stroud, Col. Thomas Smith and Mr. Martin.

*Mr. Abraham Van Middleswart, Mr. Robert Martin, Mr. John Weitzell, and Mr. John Jacobs* appeared in the house for the first time, took the oath of affirmation, and made and signed the profession of faith required.

*Friday, July 19, 1776, A. M.*

Colonel *James Potter*, one of the members for Northumberland, appeared in the house for the first time, took the oaths, and made and subscribed the profession of faith required.

*Friday, July 19, P. M.*

*Mr. William Rankin*, one of the members for York county, appeared in the house for the first time, took the oaths and made and subscribed the profession of faith.

*Monday, July 22, 1776, A. M.*

The following members for *Westmoreland*, viz. *James Barr, Edward Cook, John Moor, John Carmichael, John M'Clellan, Christopher Lavinger and James Smith*, now appeared in the house, took the oaths, and made and subscribed the profession of faith, as did also *Hugh Alexander*, of *Cumberland*, at the same time.

On motion, Ordered, that *Mr. John Moor* be added to the declaration of rights committee; and that the said committee have leave of absence.

*Mr. Valentine Eckart* appeared in the house for the first time, and took the oath, and made and subscribed the profession of faith.

*Tuesday, July 23, 1776.*

*Mr. Benjamin Bartholomew, and Mr. James Perry*, appeared in the house for the first time, and took the oaths, and made and subscribed the profession of faith.

*Wednesday, July 24, 1776, A. M.*

*Col. Henry Slagle* appeared in the house for the first time, and took the oath and made and subscribed the profession of faith.

On motion, Resolved, That the same gentlemen who are on the declaration of rights committee, be appointed to draw up an essay for a frame of system of government for this state.

*Wednesday, July 24, 1776, P. M.*

On motion, Resolved, That *Mr. John Lesher* be one of the committee for essaying a frame of government in the room of *Mr. Jacob Morgan*, who is absent with leave.

*Thursday, July 25, 1776.*

*Mr. Thomas Porter* appeared in the house for the first time, and took the oath and made and subscribed the profession of faith.

It was moved and Resolved, That this convention do agree to the following resolution and declaration, viz.

W<sup>r</sup>, the representatives of the freemen of the state of

*Pennsylvania*, in general convention assembled, taking into our most serious consideration the clear, strong & cogent reasons given by the honorable continental Congress, for the declaring this, as well as the other united states of *America*, FREE and INDEPENDENT, Do thereupon resolve, and be it hereby resolved and declared, That we, in behalf of ourselves and our constituents, do unanimously approve of the said resolution and declaration of Congress of the 4th instant: And we do declare before God, and the world, that we will support and maintain the freedom and independence of this and the other united states of *America* at the utmost risque of our lives and fortunes.

The committee for essaying a declaration of rights, reported a draught for that purpose, which being read, was ordered to lie on the table for further consideration.

On motion, Ordered, That Col. Matlack, Mr. Cannon, Col. Potter, Mr. Rittenhouse, Mr. Whitehill, and Col. Galbreath be added to the committee for bringing in an essay for a frame of government.

*Friday, July 26, 1776.*

The report of the committee for the declaration of rights, was again read, and a motion was made and seconded,—that the same be recommitted;—but the previous question being called for, it was thereupon,

Resolved, That the question be not now put on the said motion.

Upon motion, Resolved, That the minutes of this convention be published weekly in English and German, and that this house will appoint a committee to superintend the publication.

The house resumed the consideration of the report of the declaration of rights, and after some considerable time spent therein, it was,

Upon motion, Resolved, That the said report be recommitted to the same committee who were originally appointed thereon.

*Saturday, July 27, 1776.*

The committee appointed to bring in an essay of the declaration of rights, and to whom the same was recommitted, reported a new draught thereof; which being in part read by paragraphs, and debated upon for some time, was postponed for further consideration.

*Monday, July 29, 1776.*

The house resumed the consideration of the draught of the declaration of rights; and went through the same by paragraphs: Whereupon it was

Ordered, that Col. Hill and Mr. Hubley procure to be printed ninety-six copies of the said draught, for the further consideration of the members of this house.

*Thursday, Aug. 1, 1776.*

On motion, Resolved, That this convention will to-morrow morning resolve itself into a committee of the whole house, in order to take into consideration some important matters relative to the proposed new frame of government.

*Friday, Aug. 2, 1776.*

A memorial from the inhabitants of Turkey Foot township, in Bedford county, setting forth their opinion respecting the intended new frame of government, was read, and

Ordered to lie on the table.

The order of the day was then read, and the convention, in consequence thereof, resolved itself into a committee of the whole house.

Col. Joseph Kirkbride was called to, and assumed the chair.

After a very considerable time spent in deliberation, the president resumed the chair, and then colonel Kirkbride, the chairman of the committee reported,

That it was the opinion of the said committee, that the future legislature of this state shall consist of one branch only, under proper restrictions.

Whereupon it was moved, and Resolved, That the future legislature of this state shall consist of one branch only, under proper restrictions.

*Monday, Aug. 5, 1776.*

On motion, Resolved, That when any member shall be absent above half an hour after the time of adjournment, or shall leave the house without permission first obtained, he shall be fined *seven shillings and six-pence*, if there shall be a quorum then met: And if there shall not, within another half hour, appear a quorum, then each absent member shall be fined *ten shillings*, as soon as a quorum appears.

Jacob Garrigues, the assistant-clerk, now appearing, took the affirmation required by a former minute.

*Wednesday, Aug. 7, 1776.*

Mr. William Cook appearing in the house for the first time, took the oath, and made and subscribed the profession of faith.

*Thursday, Aug. 8, 1776.*

A member observing that this was a day appropriated by a very respectable religious society for humiliation and prayer, it was thereupon

Resolved, That this convention do adjourn to nine o'clock to-morrow morning.

*Tuesday, Aug. 13, 1776, A. M.*

The order of the day was then read; and thereupon the draught of the declaration of rights being read, the house resolved itself into a committee of the whole.

Colonel Kirkbride was called to, and assumed the chair; after some considerable time spent in debating thereon, the president resumed the chair, when Col. Kirkbride reported from the committee, that they had made some progress in the business referred to them, and desired leave of the house to sit again.

*Tuesday, August 13, 1776, P. M.*

The convention then resolved itself into a committee of the whole house; colonel Kirkbride was called to, and assumed the chair; and after some considerable time spent in debating and considering the draught of the declaration of rights, the president resumed the chair, when colonel Kirkbride reported from the committee that they had made considerable progress in the business committed to them, and desired leave of the house to sit again on Thursday next.

*Thursday, August 15, 1776, A. M.*

The house then, agreeable to the order of the day, resolved itself into a committee of the whole, in order to resume the consideration of the draught of the declaration of rights; after some time spent in considering and deliberating thereon, the president resumed the chair, and colonel Kirkbride reported from the committee, that they had made some further progress in the business committed to them, but had not completed the same, and desired leave of the house to sit again in the afternoon.

*Thursday, August 15, 1776, P. M.*

According to the order of the day, the convention resolved itself into a committee of the whole house; colonel Kirkbride was called to, and assumed the chair, after some further deliberations on the declaration of rights, the president resumed the chair, and colonel Kirkbride, from the committee, reported that they had agreed to the report, which he then delivered into the house, and being read, the further consideration thereof was postponed.

*Friday, August 16, 1776.*

The house then resumed the consideration of the report of the committee, respecting the declaration of rights, which being read by paragraphs, received the final assent of this convention.

*Saturday, August 17, 1776.*

Ordered, on motion, That the attention of this house be wholly confined, for the next ensuing week, to the consideration of the frame of government, the ordinance for making equal the burthens of *associators* and *non-associators*, and the ordinances for appointing *conservators of the peace*; unless such emergency should arise, as in the opinion of this house, should supersede these matters.

*Monday, August 19, 1776.*

The committee appointed to essay a frame or plan for the future government of this state, brought in a draught for that purpose, which being read, was ordered for consideration on Wednesday next, the 21st instant.

*Tuesday, August 20, 1776, P.M.*

The convention resolved itself into a committee of the whole house, in order to consider further of the ordinance read in the morning; Mr. Rittenhouse was called to, and assumed the chair; after a considerable time spent in debate, the vice-president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, and desired leave of the house to sit again on some future day, which was given accordingly.

*Wednesday, August 21, 1776.*

The convention, according to the order of the day, resolved itself into a committee of the whole house, in order to take into consideration the frame of government,—Mr. Rittenhouse was called to, and assumed the chair; after a very considerable time employed in debating and deliberating, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some progress in the business committed to them, and desired leave of the house to sit again to-morrow morning; which was given accordingly.

*Thursday, August 22, 1776, A.M.*

Agreeable to the order of the day, the convention resolved itself into a committee of the whole house, Mr. Rittenhouse was called to, and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it, he therefore desired leave of the house to sit again in the afternoon, which was granted.

*Thursday, August 22, 1776, P.M.*

Agreeable to the order of the day, the convention resolved itself into a committee of the whole house, Mr. Rittenhouse was called to, and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it, he therefore desired leave of the house to sit again to-morrow, which was granted.

*Friday, August 23, 1776, A.M.*

Agreeable to order, the convention resolved itself into a committee of the whole house,—Mr. Rittenhouse was called to, and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it; he therefore desired leave of the house to sit again in the afternoon, which was granted.

*Friday, August 23, 1776, P.M.*

According to the order of the day, the convention resolved itself into a committee of the whole house, Mr. Rittenhouse was called to, and assumed the chair; after some time spent in deliberating on the frame of government, the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but had not completed it, he therefore desired leave of the house to sit again, which was granted.

*Wednesday, August 28, 1776, A.M.*

Major William Coats, one of the members for Philadelphia county, appeared in the house for the first time, took the oath, and made and subscribed the profession of faith required.

*Thursday, August 29, 1776, A.M.*

The house then resolved itself into a committee of the whole, to consider of the draught of the frame of government: Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some progress therein, but not having completed the same, desired leave to sit again in the afternoon; which was granted.

*Thursday, August 29, 1776, P.M.*

The house, agreeable to the order of the day, resolved itself into a committee of the whole, to consider of the frame of government: Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress therein, but not having completed the same, desired leave to sit again to-morrow; which was granted.

*Friday, August 30, 1776, A.M.*

The convention, agreeable to the order of the day, resolved itself into a committee of the whole house, to consider of the draught of the frame of government: Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made further progress therein, but not having completed the same, desired leave to sit again in the afternoon; which was granted.

*Friday, August 30, 1779, P.M.*

The convention, agreeable to the order of the day, resolved itself into a committee of the whole house, to consider of the draught of the frame of government—Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made further progress in the business referred to them, but not having completed the same, desired leave of the house to sit again to-morrow; which was granted.

*Saturday, August 31, 1776.*

The convention then resolved itself into a committee of the whole house, in order to take into consideration the frame of government—Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some progress therein, but not having completed it, desired leave to sit again; which was granted.

*Monday, September 2, 1779, A.M.*

A number of the members met, but there not appearing a quorum,

Adjourned to three o'clock in the afternoon.

*Tuesday, September 3, 1776.*

The House then resolved itself into a committee of the whole, in order to take into consideration the frame of government—Mr. Rittenhouse was called to and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but not having completed the same, desired leave to sit again in the afternoon; which was granted.

*Tuesday, September 3, 1776, P.M.*

The convention then resolved itself into a committee of the whole house, in order to take into consideration the frame of government—Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress in the business committed to them, but not having completed it, desired leave to sit again to-morrow; which was granted.

*Wednesday, September 4, 1776, P.M.*

The house resolved itself into a committee of the whole,

to take into consideration the frame of government—Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had made some further progress therein, but not having completed the same, desired leave of the house to sit again to-morrow; which was granted.

*Thursday, September 5, 1776, A.M.*

The convention then resolved itself into a committee of the whole house, in order to resume the consideration of the frame of government—Mr. Rittenhouse was called to, and assumed the chair; after some time the president resumed the chair, and Mr. Rittenhouse reported from the committee, that they had finished the business referred to them, and were ready to report thereon.

*Thursday, September, 5, 1776, P.M.*

The report of the committee of the whole house, on the frame of government, was now read; and thereupon it was

*Ordered*, That the president, Mr. Rittenhouse and Mr. Vanhorn be desired to revise the same, and make such alterations therein, in method and stile, without affecting the sense, as they may think proper; and, when that is done, to get four hundred copies printed for public consideration.

*Monday, September 16, 1776, P.M.*

The house, agreeable to the order of the day resumed the consideration of the frame of government.

It was moved by colonel *Ross*, and seconded by Mr. *Clymer*, that the first and second sections of the proposed frame of government be debated upon and amended. Whereupon it was

*Resolved*, That the further debate, on the second section, is precluded; because it was fully debated and determined before, as appears by the minutes of the first and second of August last.

Moved and seconded, That the yeas and nays, on any question in the frame of government, shall be entered on the minutes, when it shall be requested by any four members—But the previous question being put, it was determined, that the question be not now put.

*Tuesday, September, 17, 1775, A.M.*

The house resumed the consideration of the frame of government.

*Tuesday, September 17, 1776, P.M.*

The house resumed the consideration of the frame of government.

*Wednesday, September 18, 1776, P.M.*

The house resumed the consideration of the frame of government.

*Thursday, September 19, 1776, P.M.*

The house then resumed the consideration of the frame of government.

*Friday, September 20, 1776, A.M.*

The house resumed the consideration of the frame of government.

*Friday, September 20, 1776, P.M.*

The house resumed the consideration of the frame of government.

*Saturday, September 21, 1776.*

The house resumed the consideration of the frame of government.

*Monday, September 23, 1776, A.M.*

The convention proceeded to the further consideration of the frame of government.

*Monday, September 23, 1776, P.M.*

The convention resumed the consideration of the frame of government.

*Tuesday, September 24, 1776, P.M.*

The house resumed the consideration of the frame of government.

*Tuesday, September 24, 1776, P.M.*

The house resumed the consideration of the frame of government.

*Wednesday, September 25, 1776, A.M.*

A letter from the Reverend Messrs. *Duffield* and *Marshall*, praying that the clergy of this state may be exempted from the burthen of civil officers, and setting forth their reason for such exemption, was read, and ordered to lie on the table for consideration.

A petition from the Reverend Messrs. *Muhlenberg* & *Weynberg*, praying for an addition to the 47th article of the proposed frame of government, confirming the incorporations for promoting religious and charitable purposes, was read, and

*Ordered* to lie on the table.

The house resumed the consideration of the frame of government.

*Ordered*, That Mr. *Cannon*, Mr. *Jacobs* and Mr. *Rittenhouse* be appointed to prepare the draught of a preamble to the declaration of rights and frame of government, and of the oaths of allegiance and office, to be inserted in the said frame.

*Wednesday, September 25, 1776, P.M.*

The gentlemen appointed to draw up a preamble to the declaration of rights and frame of government, reported an essay for that purpose, which was read, and referred for further consideration.

They also reported an essay for the oaths and affirmations of allegiance; and of office; which being read and amended at the table, were approved of, and ordered to be inserted in the frame of government.

*Thursday, September 26, 1776, A.M.*

The convention appointed to draw up the resolve respecting the election for the present year, reported a draught for that purpose; which being read and amended, was agreed to in the following words:

*In Convention for the state of Pennsylvania.*

Whereas it is not convenient to hold the next election throughout this state, for choosing the elective officers thereof, on the day on which it will be most convenient to the people to hold their elections for the future—And this convention being desirous that the freemen of this state may, as soon as possible, enjoy the advantages of a free and established government; it is therefore

*Resolved*, That the next election of representatives in general assembly, and of all other elective officers heretofore usually chosen on the first day of *October*, shall be held for the city of Philadelphia, and for the county of Philadelphia, and for every other county in this state, on *Tuesday*, the fifth day of *November* next; &c.

Every elector, before his vote is received, shall take the following oath or affirmation, instead of that heretofore required, viz. "I ——— do swear, (or affirm) that I will be faithful and true to the commonwealth of Pennsylvania; and that I will not, directly or indirectly, do any act or thing prejudicial or injurious to the constitution or government thereof, as established by the convention."

And the judges and inspectors of the said elections shall, besides the oath prescribed in the law directing the choice of inspectors above-mentioned, take the oath of allegiance above recited. And

*Resolved*, That the said general assembly, chosen in consequence of the foregoing resolves, shall meet at Philadelphia, on *Tuesday* the nineteenth day of *November* next.

*Thursday, September 26, 1776, P.M.*

The house resumed the consideration of the draught of the preamble offered to them yesterday, and the same was agreed to.

*Friday, September 27, 1776, P.M.*

On motion *Resolved*, That it be recommended to the first general assembly of this state, to make a law similar to the *habens corpus* act of *England*, for the security of the personal liberty of the inhabitants.

(Constitution in our next.)

## INTERESTING CORRESPONDENCE.

We have been favored by a friend with the following interesting correspondence between the Assembly of New Jersey and the Committee of Merchants of this city, occasioned by the non-importation agreement entered into by the merchants. It must be considered a very early and bold expression of sentiment in favor of American liberty.

*Copy of a Letter from the Speaker of the House of Assembly of New Jersey to the Committee of Merchants in this city, dated*

BURLINGTON, Oct. 20th. 1769.

GENTLEMEN:—By Order of the House of Representatives now sitting at this place, I inclose you a Resolve passed on the 18th instant, as a testimony of their approbation of your conduct.

COURTL. SKINNER,  
Speaker of the House of Assembly.

*Resolved, nem. con.* That the thanks of this House be given to the merchants and traders of this Colony, and of the Colonies of New York and Pennsylvania, for their disinterested and public spirited conduct, in withholding their importations of British Merchandize until certain Acts of Parliament, laying restrictions on American commerce for the express purpose of raising a revenue in America, be repealed; and that Mr. Speaker be directed to write to the respective committees of merchants in said Colonies, transmitting them a copy of this resolve.  
(a true copy.)

R. SMITH, Clerk of Assembly.

*Copy of a Letter written by the Committee of Merchants in this City, in answer to one received from the Speaker of the House of Assembly of New Jersey.*

SIR—We received your Letter of the 20th instant, and request the favour of you to lay before the honorable Representatives of the Province of New Jersey, the high sense we have of the honour they have done the merchants and traders of this Province, in the vote of thanks transmitted to us. Such an approbation of their conduct cannot but be exceeding grateful; at the same time, we hope, it will be serviceable to the cause of liberty in which we are engaged, by stimulating and encouraging every lover of his country to procure redress of our grievances. When the petitions and memorials of the representatives of the colonies, in favour of the rights and liberty of America, are seconded by the endeavours of the people, and those endeavours are conducted with such unanimity, peace, good order, and resolution, as to merit the approbation and thanks of the representatives in Assembly met, there is the greatest reason to hope, that, notwithstanding the attempts of arbitrary, designing, or weak ministers, the united efforts of the colonies, thus exerted, will in the end be crowned with success, and prove effectual in securing to themselves and their posterity the blessing of liberty, and the rights of freemen, to which they are entitled by the British constitution.

We are with much Esteem and Respect

Thy Assured Friends,

William Fisher,  
Abel James,  
Henry Drinker,  
Samuel Howel,  
George Roberts.

Your Humble Servants,

Daniel Benezet,  
Alexander Huston,  
John Gibson,  
Charles Thomson,  
John Rhea,  
Joseph Swift,  
James Mease,  
William West,  
J. M. Nesbitt,  
Tench Francis,  
Robert Morris.

Philadelphia, 27th October, 1769.

To COURTLAND SKINNER, Esq.

Speaker of the Assembly of New Jersey.

## BIOGRAPHICAL MEMOIR OF

## MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 159.)

HANOVER, 7th Jan. 1780.

My dear General—I was honored with yours, of the 28th ultimo; and on the 2d inst. the light corps was dissolved, and took up the line of march, to join the respective regiments, after the enclosed order having been read at the head of each battalion.

The distinguished and honorable manner in which you have more than once mentioned my name to Congress, and your very polite approbation of my conduct, during the course of this campaign, must be a very pleasing and rich reward to an officer, whose only merit is, that of having used his best endeavours to do his duty, and carry the orders of his General into execution.

In addition to my verbal request for a command in the light corps, when it shall be re-organized, I beg to be employed on every occasion in which your Excellency may think me worthy of trust, either as a volunteer, or in any other character that you may deem most conducive to the benefit of the service, and to believe me, with the truest esteem.

Your very affectionate and most

Obedient humble servant,

ANTHONY WAYNE.

His Excellency, Gen. WASHINGTON.

It is regretted that the order which Gen. Wayne mentions in the above letter, is not to be found among his papers; no doubt, it was such a one as fully announced to the corps of light infantry the request contained in the commander-in-chief's letter of the 28th of Dec.

As soon as Sir Henry Clinton was absolutely assured that the French fleet had sailed from the continent of America, he personally embarked at New York, with a very strong detachment; and on the 26th of Dec. as mentioned in Gen. Wayne's letter of that date, proceeded under convoy of Admiral Arbuthnot, for South Carolina.

The garrisons on York Island, and their dependencies, being considerably weakened, in consequence of this movement, Gen. Washington resolved to make powerful efforts to take the earliest advantage of the circumstance—he therefore made arrangements to surprise the British troops, amounting to one thousand two hundred men, who, as yet, had not been withdrawn from Staten Island.

Brigadier General William Irvine, who commanded in that neighbourhood, was requested by the commander-in-chief, to inform himself of the state of the enemy on the Island, and of its communication with other posts, &c. This gallant and faithful officer, "whose brigade had fully shared all the miseries and privations of the campaign of 1779," and at this inclement season was suffering much, on account of both clothing and provisions, most cheerfully proceeded to the execution of the task assigned him.

The General, after having personally reconnoitred as far as practicable, and from intelligence obtained by other means, he reported to the commander-in-chief, that it was entirely practicable to cross over on the ice from Jersey shore to Staten Island; and that from information received, the communication from the latter place, both to York and Long Island, was "extremely difficult, if not impracticable."

Immediately after this report, the commander-in-chief made his final arrangements for the enterprise. He ordered the detached corps to be moved down in sleds and to join Gen. Irvine. When the troops were concentrated their number amounted to 2,500 of whom Lord Sterling, as Major General, took the command-in-chief. The night of the 14th January, 1780, was decided on for the surprise; and that the troops advanced towards the works for the purpose of its execution, but unfortunately a communication contrary to the intelli-



genoe received by Gen. Irvine was still kept open between the Island and New York, and the instant that the approach of the Americans was discovered, a boat was dispatched to New York, giving information of the fact. The strength of the fortifications being greater than what had been supposed, and the time which must necessarily have been occupied in reducing them, together with the facility that a superior force might, in the mean time, have been sent to the aid of the garrison, induced Lord Sterling and Gen. Irvine to commence a retreat, which was secured with but little loss. The rear of the detachment gallantly received and repulsed a charge of British cavalry, but owing to their defective protection against the extremely severe weather, some of the American troops were frost-bitten, and also a few were taken prisoners.

A few weeks previously to this expedition the following correspondence occurred between Generals Irvine and Wayne, on the subject of clothing &c.

*Camp near Morristown, ?  
December 10, 1779. }*

Dear General—After a tedious and severe march, we are at length huddled in heaps here. The Virginia line marches this day or to-morrow, for Philadelphia, thence it is presumed to Carolina—this is said to be by a special resolution of the honorable Congress. This day a brigade of wagons arrived with part of our clothing.—The clothier says the remainder will be up in a few days. We are hard set to get a place to store the materials; materials I say, because they are yet to be put together, at least overalls and waistcoats. This is a villainous part of the country for houses; if we can procure them, we shall be obliged to occupy a great many with our tailors, for the purpose of making up the waistcoats and overalls. The clothier informs, that there are 2000 coats for the whole line ready made, and about as much cloth as will make 500; which I believe is all that we are to expect for the ten regiments. The officers clothing is all packed up in separate bundles, the name of the owner on each—it is further said, that each bundle contains cloth and trimmings for one complete suit, three shirts and stocks, even washed and ironed; one pair of silk, and one pair of worsted hose; a pair of boots, or three pair of shoes—and what think you of it, one elegant beaver hat? Not a single hat yet, for the poor men, which is a c—d thing; they all look like scare-crows. We are going on pretty well with the hutting business; though this is only the third day since we began: some regiments have near a mile to haul their logs. Things wear a poor aspect, little or no forage, provisions scarce, &c. &c.

If the overalls and waistcoats were made, they ought to be put on instantly, as the men are quite naked; but this is out of the question, as it will require many weeks to make them. I believe the coats are better off, until the butts are completed; but this I hope will be done before the arrangements of distribution can be made, as the rear of the wagons is not further than Trenton.

When shall we have the pleasure of seeing you here. As soon as all are covered I mean to ask leave of absence for a few weeks. I hope things will be got into a channel for making the poor fellows comfortable in about 15 days, when I shall make application, &c.

There is, undoubtedly, great occasion for some person to proceed to Pennsylvania and stimulate our assembly, if not to fill the regiments, at least to recruit as many men as will keep us up to what we now are.

I am, dear General, your sincere friend,

And most humble servant,

Gen. WAYNE.

WM. IRVINE.

*Light Infantry Camp, ?  
Second River, 14th Dec. 1779: }*

My dear Sir—I was favoured with yours of the 10th, per George, and am pleased at the prospect of once more clothing our officers and soldiers. I must acknowledge the latter would make a better appearance, had they a sufficiency of hats; but as Congress do not seem

to think this an important, much less a necessary part of uniform, they mean to leave us uniformly bare-headed, as well as bare-footed, and if they find we can *bore* it tolerably well in the two extremes, perhaps they may try it in the centre.

It is difficult to discover the intentions of the enemy; they have every thing in perfect readiness for a very considerable embarkation, but none has yet taken place. However, if I am not greatly deceived, you may expect a very active and distressing winter's campaign, either against this army or the Southern States.

My situation is such that I cannot go to see you, or probably Mr. British may pay a visit in my absence.—Will you, therefore, be so obliging, with three or four other honest fellows, as to come and pass a day or two with us. You will find a piece of beef, a bed, a little poor wine, and a very sincere welcome from your

Affectionate friend, and humble servant,

Gen. IRVINE.

ANTHONY WAYNE.

The excessive severity of the winter, and the want of men, money, clothing, and subsistence, prevented the American commander-in-chief from any further important attempt against his adversaries. The one which has just been mentioned, excited much alarm, and occasioned them to adopt strong precautionary measures against a recurrence of the kind.

The American army during the winter, was so disposed of as greatly to circumscribe the British in foraging, and as they were locked out by the ice from water communications, they suffered extremely, especially for provisions and fuel; in many other respects the American army endured greater hardships.

The campaign of 1779 exhibited little more than a scene of successive disasters; if it were enlivened by a few brilliant strokes, they were but coruscations which rendered yet more visible the gloom by which the American army were actually surrounded, without the means of dispelling it. Neither the illustrious Commander in chief nor his gallant army was in fault. Had Congress and the individual states timely listened to the counsels of the great and good Washington, the republic would have reposed in peace probably, before the close of that year. It was not so destined; she had more battles to fight; more chastisement to endure; and, as a very distinguished civilian of the day said, in a letter to General Wayne, immediately after Count D'Estaing sailed from Savannah to the West Indies—"We must work out our own salvation—and I say it without irreverence, you, my dear General, and our army, will aid in the accomplishment of it, without "fear and trembling."

The command of General Wayne having ceased, in consequence of the corps of Light Infantry rejoining their respective lines, he therefore having taken an affectionate leave of the Commander in chief and his brother officers, repaired to the seat of government, and immediately recommenced his exertions in stimulating the councils of the nation, especially those of his native state, in behalf of our suffering soldiery—a scene which commenced with the opening, and only closed with the termination of the revolutionary war.

This memoir will not exhibit, as in the preceding winter, any of General Wayne's addresses to the constituted authorities of his country; they would be a repetition of much similar matter, although more full and impressive. It is sufficient to say, that he remitted nothing of his former zeal and exertions in behalf of that cause which he had so much at heart.

*Engraving.*—We were, this week, shewn by a friend, a beautiful specimen of engraving, purporting to be a seal for the use of the Schuylkill Valley Rail Road Company, executed by Mr. William Wagner, of York. It is one of the most elegant and neat specimens of engraving we ever saw. Mr. Wagner, we understand, is a self-taught artist, and bids fair to stand in the foremost rank of his profession. Native genius ought to be encouraged.—*Miner's Journ.*

## FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

EARLY SETTLEMENT OF THE SWEDES  
ON THE DELAWARE.*To the Resident Peter Spiring on account of the privilege  
granted to the people of Utrecht.*

NYKOPING, the first of Feby. 1640

Christina &c &c. To our beloved and Lieges, greeting—we make known to you especially, that Gothard de Rhedere, Sieur De Horst and Vreeland & his associates, a long time since besought us to give them a grant and privilege to found a Colony in the country of New Sweden, as is no doubt well known to you; however, that after having deliberately weighed this business, we have caused to be sent them, this privilege in due form—but that it is absolutely necessary that these persons should give us for guaranty, a counter obligation; we have required that the said privilege with the other original letters which thereto belong, be sent you with this injunction, that for guaranty thereof, you require of the said persons a similar counter obligation—we send you the form of said obligation. You will do us a favor by completing it still further; and moreover, to endeavour that the words “so far as regards the state of New Sweden” be excluded: more especially as their new obligation, even without that, signifies no other thing, as their other obligations and duties towards their country remain in full force. In case they will not consent to this arrangement—the whole affair shall be submitted to your discretion, and you will arrange things so that for this reason, the business be not deferred, and that they lose neither the time nor season; but that on the contrary, the vessel be despatched with the greatest diligence possible. We are for the rest, &c. &c. Given day and year as above.

GABRIEL OXENSTIERNA,  
JACOB DE LA GARDIA,  
CARL CARLSON,  
GYLDENHIELM,  
AND. OXENSTIERNA,  
GABRIEL OXENSTIERNA BENGTSSON.

*Plenary powers given to John Printz, Governor of New  
Sweden.*

STOCKHOLM, Aug. 16, 1642.

We Christina &c &c. Make known that several of our faithful subjects having commenced visiting the coasts of the West Indies; and having purchased in form and having already occupied a considerable part of that country which they have named New Sweden: in consequence, as their laudable project, the navigation which they have undertaken, and the cultivation which they are disposed to make, cannot but increase and facilitate commerce, to give them more vigor and extent not only we have approved their design and taken the country and its inhabitants under our royal protection, but again to favor and to strengthen the work which they have commenced, we have given to the country and inhabitants, our subjects, a Governor, and have named as we do here, by virtue of this letter patent, our very faithful subject, the above named Lieutenant Colonel of cavalry, John Printz, for Governor of New Sweden—and also according as he is bound to us and the crown of Sweden, he engages himself to administer and govern said country, and to defend its inhabitants against all violence and foreign attachment, and to preserve above all that country in safe and faithful hands. Also he must preserve amity, good neighbourhood and correspondence with foreigners, with those who depend upon his government, and the natives of the country; to render justice without distinction, so that there shall be injury to no one—and if any person behave himself grossly, he must punish him in a convenient manner—and as regards the cultivation of the country, he must in a liberal manner regulate and continue it, so that the inhabitants may derive from it their honest support, and even that

commerce may receive from it a sensible increase—as to himself, he will so conduct in his government as to be willing and able faithfully to answer for it before God, before us and every brave Swede, regulating himself by the instructions given to him.

For these causes we order by these presents in general and particular all those who see them, and especially to all the colonists, who are our subjects and those of the crown of Sweden, who are established and live in New Sweden, to acknowledge the said John Printz in the quality of our Governor in the said country, to obey him and respect him in every thing which he may order for our greatest advantage and that of our kingdom.—Such is our will and every person must conform as his his duty and with all his power. In faith of which, &c. Given at our Royal Castle at Stockholm, as above.

PETER BRAHE,  
HERMAN WRANGEL,  
CHARLES FLEMING,  
OXEL OXENSTIERNA,  
GABRIEL OXENSTIERNA BENGTSSON,  
A. GYLDENKLAU.

*Salary of the Governor of New Sweden, John Printz, amounting to 1200 Rix Dollars.*

Stockholm, Aug. 15, 1642.

We Christina, make known: Having judged it suitable & necessary to confide to our trusty John Printz, formerly lieutenant Col. of Cavalry, the government of New Sweden, and the said John Printz having accepted it in good will:—and also having in him the greatest confidence, that according to his duties he will be duly faithful to us and to the crown of Sweden, he will seek to favor and procure our advantage and that of the crown; as also that of the Navigation Company (who have undertaken this navigation, and have bought the country)—that if there was any damage to fear, he will take notice of it in time, and avert it as far as possible; and that moreover, he will watch over all that shall be commanded, prescribed and confided in a special instruction. In consideration thereof, we secure to him an annual compensation and support as long as he shall remain in said service, Twelve hundred silver Dollars; and as long as he shall remain in the country he shall draw regularly these 1200 silver Dollars from the revenue which exists already, or which shall be regulated hereafter—and this salary shall commence to be paid to him from the 1st January 1642. Our Counsellors, of the Chamber and of Finance, our Treasurers and all others, to whom it belongs, must regulate themselves according hereto. In faith of which, &c. Given day and year as above

PETER BRAHE,  
HERMAN WRANGEL,  
CHARLES FLEMING,  
OXEL OXENSTIERNA,  
GABRIEL OXENSTIERNA BENGTSSON,  
O. GYLDENKLAU.  
(To be continued.)

## A VIEW OF PHILADELPHIA,

*From the State House Steeple.*

We believe there are many residents of Philadelphia, (and probably not a few of our readers may be included,) who are ignorant of the pleasure to be derived from an ascent in the new steeple, which was last season erected for the old State-House—that time-hallowed edifice, about whose walls linger so many interesting associations, and within whose halls such momentous deliberations have been held. Conceiving that a brief description would not be uninteresting; to our distant patrons, we give a few paragraphs upon the subject.

The ascent to the steeple is by a circuitous flight of stairs within, being perfectly safe and plain; and the prospect from the cupola, at the height of one hundred and thirty feet from the level of the street, is imposing and beautiful in a high degree. Beneath the

feet of the spectator, as upon a map, extends the goodly city of Philadelphia, in a wide and varied mass of habitations, to the distance of nearly five miles on the banks of the Delaware on the east, and about three and a half miles on the banks of the Schuylkill on the west; and varying from one and a half to two miles in breadth; presenting at the first glance, a confused array of brick walls and dusky roofs; but, when scrutinized more closely, abounding with much interest and magnificence. It was a pleasant day in "the leafy month of June," when our observations were made, and when we experienced those reviving and grateful emotions which we are now attempting faintly to describe.

The saying is an old one, that an extended survey of the earth and its objects, from any elevated position, has a tendency to exalt and elate the spirit; and, for the time being, to arouse and expand the intellectual faculties. Our own experience, during a not uneventful life, leads us to assent to the truth of the remark; and, among those seasons in which its correctness has been enforced, we can number the visit and ascent to which we are now alluding. The morning was well advanced, and the atmosphere possessed an aspect of transparency which we have scarcely ever seen equalled. We leaned against the railing of the cupola, which is placed for the safety of the spectators, and gazed on the panorama before us. Far to the east, the dim blue woods of New Jersey blent with the horizon; and more immediately at hand, its shores along the river lay pleasantly crowned with villages, and trees, and meadows, in all the primal freshness of the dawning summer. The Delaware lay smiling like a sheet of tremulous silver in the free and unclouded sunshine; steam-boats were moving from either shore, with their wreaths of smoke ascending like offerings in the air; while the white sails were careered gracefully along its bosom, and foreign ships were weighing anchor in the stream, or lying alongside the animated wharves, with their pennons streaming like light cloudlets in the breeze. Turning to the south, the most striking features which are presented in that portion of the city are, the Navy Yard, inclosing that immense building, in which the largest ship in the world is now in the progress of construction; and, in the distance, the Delaware, which hastening onward to the ocean, here sweeps, in a westerly direction, around a soft & placid reach of meadow scenery, broken by rich clusters of large and beautiful trees, whose heavy verdure seemed to delight in the morning smiles of heaven.—Immediately beneath us, the southern prospect included the State House and Washington Square, with their brownish yellow walks, their verdant grass plots, and their noble trees, whose leaves and blossoms waved in sweet luxuriance, as if stirred into music by the bland air of June. The survey to the south west, north, and north-west, presents the congregated serenity and loveliness of the quiet country and the moving splendor of the city. The blue, swelling lands of Pennsylvania and Delaware, disposed in pleasant vistas and green sunny spots, lit up at intervals by gleams from both rivers, seemed touched with a changeful coloring of dark and bright verdure; the darker hues sometimes deepened by the passage of some vagrant cloud, and the brighter rendered still more bright by the glancing sunbeam.—Far to the south-west, on the verge of the horizon, and apparently melting into air, arise the gently undulating Highlands of Christienne, in the state of Delaware, whose distance cannot be much less than thirty miles.—The scenes, in the direction just spoken of, should be seen to be appreciated; upon paper, they cannot be even faintly shadowed forth. Immediately to the west, Chestnut-street, which passes the north front of the State House, stretches away with its tasteful and lofty buildings, until it seems to end in a rich green meadow beyond the Schuylkill, whose waters can be seen in occasional spots, shining along the verdure of their banks, and pursuing their glittering course towards the sea.—The banks of this river, from the northwest to the south-

west, are lovely in the extreme. Towards the former point, the pale, yellow-grey walls of the Penitentiary rise with their turrets, and form no indefinite representation of a feudal castle, with its tiara of towers; the Chinese Pagoda, whose fanciful variegated spire springs gracefully into the air; and Fairmount, with the white pailing which surrounds its pure reservoir; while the meadows which surround the country seats of the opulent citizens, with the attendant gardens and orchards, form the visible and cunningly blended links which connect town and country.

Much the largest and most interesting part of the city lies northwardly of the State-House. It extends, as it were, in an unbroken assemblage of bustling streets, churches, gardens, banks, and public edifices of every description, for nearly three miles. Beneath our feet, thro' the elegant and promising trees which there overshadow the walk, moves the tide of Chestnut-street business and fashion. To the north-east the Delaware appears, lapsing along by its island of tranquil and summer verdure of low trees, and emerald banks, where the blue waters seemed to melt away in the reflected light of earth and sky. It pursues its course with pleasant and picturesque shores on either side, with their white dwellings, fields, and orchard-plots, all pure in summer, and redolent with beauty; and it is lost in the irregularities of the faint outline in the distant landscape. With the assistance of a good glass, some of the ferries, situated a great number of miles up the river, can be plainly perceived, and also the steamboats which arrive and depart to and from New-York and Philadelphia. The sight in this direction combines all of city or country which can prove interesting or delightful.

We could not but reflect, as we gazed abroad over this thriving metropolis, of which we are an humble denizen, upon the insensible chances and changes of the destroyer Time: the fallacy of earthly expectations, the mutability of man, the narrow span of life, the absorbing ocean of death, and of eternity. Beneath and around us lay the proud capital of Pennsylvania, basking in the sun, and stirred with the monotonous hum of bustling and busy existence. Around us, on either side, the distant and uprising landscape blended in soft and perfect beauty with the illimitable horizon; while over all was spread the blue infinity of the sky, as, ever and anon, a slight cloud, touched with the hues of gold and amber, moved up in splendid pomp into the heavens, impelled by the light airs of the west, and chequering the hills and vales with pictured light and shade. "Are not these," we involuntarily uttered, "fit emblems of life?" How many visions of ambition, of passion, and of pride, which arise in the imaginations of the multitudes beneath us, will come and go like the summer cloud? Youth, with its ardent and kindling fancies—manhood, with its unfiring and boundless aspirations—age, with his hoarded gold and earthly treasures in store—of what little moment are all these, when they depend upon the faint thread of mortality, which, at best, is but "the spider's most attenuated web?"

We saw the impelling tide of human pursuit and enterprise rolling onward beneath our feet:—the care-worn merchant was at his bales, the laborer at his toil; the rich man's coach went by upon its gilded wheels; and the rattling of his progress arose to the ear, as the light of his splendid equipage flashed upon the eye. "Seventy years hence," thought we, "and where will these one hundred and sixty thousand dreamers be? Among them all, Death is estimated to receive one in every two hours and eleven minutes;—where will the little, silent lapse of three score and ten find them? They will have gone "as the swift ships—as the eagle that hasteth to the prey." Where are they who have been honored and revered by the crowd in the dawn of our liberty? Where is he, the framer of the Declaration of our Independence, who first proclaimed it to the American people from the southern window of this edifice over which we now stand? Let the silence of his sepulchre at Mon-

ticello answer. Where is the father of his country—to whose virtues the world did homage, and before whom, as he rode on his white war-horse through these streets in times gone by, went forth acclamations of praise and thanksgiving? Let the sacred repose of his tomb at Mount Vernon make reply! Where are the statesmen and heroes of the *first Congress*, whose deliberations were held in this venerable cradle of liberty? They, too, have gone to rest, and their memories alone are with us! Where is Franklin? we reflected, and turned to look at his place of rest. It is plainly seen from the cupola of the steeple; and the grave stones of that populous city of the dead where he sleeps, can be seen rising from the tall luxuriant grass, which waves in the breath of summer around. The church-yard where reposes the Philosopher, and the man, is partially shaded on the west by some large thickly clothed trees, and some are also planted in the enclosure. We thought of *West*, of *Rittenhouse*, of *Whitefield*, and of *Eastburn*. The child of genius who had here first awakened the canvass into life with his creations; who arose to sit in the high place of renown, and to receive the applause of princes;—he, too, has sunk long ago to his final slumber in a foreign land. The Astronomer who searched out the occult mysteries of the stars; and the men of God, whose burning words aroused the guilty and subdued the proud hearted—where are they! Their messages of love will be delivered, no more forever: their eloquence has departed, their wasting dust has held fellowship with the worm, while their spirits have communed with God in heaven. They have died with the worthy and the unworthy; the just and the unjust. And so it is still to be. The churches whose spires rise around us, will soon be thronged with the children of another generation, when the present shall have numbered their days; when the preacher and his people shall have passed to that “undiscovered country from whose bourne no traveller returns. Washington square, which now smiles with its proud array of loveliness and fashion, was once a Potter’s Field, where brothers and sisters were hurried in the pestilence to lie unburied, side by side, where no funeral rite was said, or anthem sung; and the change of the future will equal those of the past.”

These are a few of the monitory lessons which will be imparted to the reflecting and contemplative mind, in a visit to this edifice, upon which we have dilated rather at length. To the young, it will yield the pleasure which novelty always produces; to the middle aged or the old, who think aright, it will give a gratification no less sensible, though of a different character; and we believe that to all, neither be devoid of amusement or instruction.—*Columbian Star*.

#### FRANKLIN INSTITUTE.

The twenty-second Quarterly Meeting of the Franklin Institute of the state of Pennsylvania, for the promotion of the mechanic arts, was held at their hall on Thursday evening, the 16th July, 1829.

*Thomas Fletcher*, Esq. Vice-President, in the chair, and *Wm. Hamilton*, was appointed Secretary pro tem.

The minutes of the last quarterly meeting, and also of the special meeting, were read and approved.

The chairman of the committee of investigation on the subject of water wheels, reported that the committee still continued to receive subscriptions towards defraying the expenses of the experiments; the amount fixed by the committee as necessary to be raised previous to commencing the operations, is now almost made up; the committee had hoped that the sum would have been received at an earlier date, but that has been prevented, entirely by the general depression of business among that class of citizens who are most immediately interested in the results of the experiments. The committee now believe that such an amount will shortly be subscribed as will justify them in making a commencement, and as it is of the utmost importance to extend their inquiries as far as possible, they hope the mem-

bers of the Institute and others interested, will still continue to exert their influence to increase the amount of the subscriptions.

The quarterly report of the board of managers was read and accepted.

THOMAS FLETCHER, *V. Presl.*

William Hamilton, Secretary pro tem.

*The Twenty-Second Quarterly Report of the Managers of the Franklin Institute of the State of Pennsylvania, for the Promotion of the Mechanic Arts.*

The board of managers present a report of their proceedings since the last quarterly meeting of the society, in accordance with the regulations and laws of the Institution.

In addition to the regular course of lectures on chemistry and mechanics, to be delivered during the ensuing season, arrangements are now making by the committee of instruction, for the delivery, during the whole period allotted, of volunteer lectures, varied in their character, and of manifest utility.

The board would respectfully call the attention of mechanics and others to the subject of the delivery of volunteer lectures. They are the sources from which much good will flow, a large portion of valuable and interesting information be diffused, and thus serve in a great degree to keep alive the interest in, and extend the influence of, the Institute.

At the close of the present quarter of the High School, the course of instruction originally contemplated in that department, will have been completed. Since its organization, and during the whole term of three years, the board have been gratified with the flattering reports which have been received from the committee on instruction. It has received an unusually large share of the public patronage, and it has been instrumental in an eminent degree in diffusing the blessings of education, and in elevating the character and standard of instruction in the community, more especially in the introduction of a well digested and more complete system of text books than have heretofore been used in the schools in this city. The school will be continued in the Hall of the Institute, under the direction of the present principal, W. R. Johnson, A. M., assisted in the several branches by instructors of acknowledged reputation.—

The board of managers would beg leave also to report, that a special committee has been appointed to make the necessary arrangements for carrying into effect the resolution of March 12th, 1829, in relation to the very interesting and important subject of ascertaining “the value of water as a moving power, and the relative effects produced by it on water wheels of different constructions.”

The committee have been zealously endeavouring to raise the sum required to carry on the experiments contemplated, and have succeeded in obtaining a large proportion of it. The board rely with great confidence upon the assistance and exertions of the mechanics and manufacturers of the United States, to aid them in the investigation of a subject so valuable and important in the results to be produced, not only to themselves, but to the country generally.

Agreeably to a resolution passed at the last quarterly meeting, monthly meetings of the Institute have been regularly held on the fourth Thursday of each month, upon the plan described in the last quarterly report. It is believed that the results anticipated, have been produced by the adoption of this popular measure. Subjects of interest and practical utility have been presented and discussed, the library of the Institute has received considerable and important additions, the cabinet of minerals has been enlarged by donations presented at these meetings, and the board view their continuance as calculated to promote the object and interest of the Institute, and recommend the attention of the members to them.

By a resolution of the board, it was decided that the

next exhibition should be held in the year 1830. This measure was adopted after mature deliberation; and it is believed that exhibitions held every two years, will excite more interest, and will be productive of more advantage to the arts and manufactures than annual ones. The committee on premiums and exhibitions are actively engaged in making arrangements for an exhibition at that time, which it is expected will not be inferior to any of those heretofore held, and which will exhibit the state and progress of the mechanic arts in our country.

HENRY HORN, Chairman.

William Hamilton, Actuary. *Journ Frank.Inst.*

### PATENTS

*Obtained by Pennsylvanians, in June, 1829.*

For a *Washing Machine*; Fredus Reed, Picketown, Bradford county, Pa. June 11.

For an improvement in the *Rail-road*, by which a railway carriage may be made to turn out and in, at the places intended for that purpose, on a single rail-way; or to pass from one track to another, where the road is double; which mode obviates the difficulties heretofore experienced in effecting this object; James Wright, Columbia, Lancaster county, Pa. June 11.

For a new and useful mode of *Propelling Boats, or Wagons*; Josiah White, civil engineer, Mauch Chunk, Pa. June 11.

The principal object of this invention is to use propellers of timber, to cause wagons or cars to ascend on an inclined plane, instead of drawing them up by ropes or chains.

The propellers are long pieces of timber, placed between the ways of a rail-road. They are to be three in number, lying side by side, and may be on the same plane with the rails; they are proposed to be made of timber, about 6 by 8 inches, and may be so joined end to end as to extend to any convenient distance; they are to be supported on rollers, upon which they are retained by flanches. A shaft crosses the rail-road, below the rails and the propellers; upon this shaft there are three cranks, from each of which a pitman passes to one of the propellers, and when this shaft is turned by the application of any sufficient power, one of the propellers will always be advancing. The upper edges of these propellers are notched, so as to form ratchets; and three palls descend from the bottom of the wagon, and fall into these ratchets, which will, of course, cause it to ascend by a regular, continuous motion.

For a *Rotary Steam Engine*; David B. Lee, and Stephen Stewart, Philadelphia, June 11.

The principle upon which this engine is to act, is the same which has been tried in a great variety of forms, and always with the same result, namely, that it would go, if well made, but was inferior in operation to the cylinder engine. We cannot give the particular arrangement proposed, without drawings, and deem it sufficient to observe, that a wheel is to revolve, upon the periphery of which there are valves, which shut flush into it, and are to open and be acted upon as they pass through steam boxes, of which there are two, one standing opposite to the other, and each furnished with a steam and escape pipe.

For an improvement in the *Plough*, by which the sides of hills can be ploughed backwards and forwards, throwing the ground always on the same side of the furrow; Philip Altenderfer and Benjamin Altenderfer, Richmond, Berks county, Pa. June 11.

For an improvement in *Bellows Tubs, or Cylinders, for Furnaces, or Forges*; Andrew A. M'Pharlin, Huntingdon, Pa. June 11.

For a mode of *Cutting out Boots and Shoes*, by means of a scale, or graduated pattern; Samuel Marshall, Philadelphia, June 23.

For an improvement in manufacturing and *Ornamenting of Combs*; Ebenezer Mustin, Philadelphia, June 27.

### THE SCHUYLKILL.

If any person continue to doubt the great advantages resulting from the internal improvement of the state by means of canals and rail roads, a visit to the Schuylkill would go far to remove them. Wharves are to be seen lining the margin of that stream from Fair Mount Dam down the whole front of the city, and a portion of the county of Philadelphia. A few days ago, we saw 14 vessels there, waiting to take our coal, immense quantities of which are brought down the canal. We should be much pleased to have the number and description of vessels that have passed up the Schuylkill within the last year. It would be quite interesting, and would afford a pleasing contrast with the trifling navigation of that stream, prior to our canal system having come into operation. What must be the result when the great Pennsylvania Canal shall have been completed, and its immense commerce be sent down to us, when the single article of coal has already done so much. Our coal beds are so extensive, and the quality of our coal so fine, that the stream of wealth that must flow down to Philadelphia from that source alone, must ever make us a prosperous people.

A rail road of sixty miles has been constructed in England, merely for the transportation of coal alone. The coal vessels there furnish a large share of the seamen for the navy when there is a demand for the naval service of the country. England derives immense wealth from this mineral production. Philadelphia is destined to share largely in the advantages of the coal commerce, and all this results from our internal improvement.

*Am. Sent.*

We agree with the Editors of the American Sentinel, that the visible effects of the internal improvement of the State are great on the Schuylkill, at Philadelphia; but we would invite them to extend their visit this far, and they would find materials to render the theme ten-fold more fruitful. We feel confident they would gaze with admiration at the wonderful enterprize of man—to behold our large store-houses—our numerous wharves—the boat-yards and boats—the rail-roads—our coal, the boundless wealth of this region—the industry of our citizens—and above all, a town destined to be told of in after ages, springing up, as if by magic, on a spot, which, but a few years ago was a perfect wilderness, inhabited only by the beasts of the forest, who roamed about in the majesty of uncontrolled restraint. These are objects they would delight to dwell upon. But vast as these improvements are and so immense the trade that already pours down the Schuylkill canal, it is but a part of the trade which Nature (assisted by the artificial means of man,) destined to take this channel to market. We allude to the construction of a rail road between this place and Sunbury and Danville, to intercept the trade of the two branches of the Susquehanna. No idea can be formed of the advantages which would result to Philadelphia from this improvement. True they have the Union Canal, the Pennsylvania Canal, and constructing the Columbia and Philadelphia rail road, yet the trade of the Susquehanna which they will receive by those routes, we are afraid will be comparatively small.—When the trade arrives at Sunbury, the junction of the two branches by the Union Canal route it is 202 miles from Philadelphia; by the Pottsville route, only 152; distance in favour of the latter route 50 miles. From Sunbury via the Columbia and Philadelphia rail road, it is 168 miles; by the Pottsville route only 150; in favour of the latter 16 miles. The distance from Sunbury to Philadelphia is 152 miles, and from Sunbury to Baltimore 155; but when the trade leaves Sunbury for Middletown, it recedes from Philadelphia, & approaches nearer to the Baltimore market, being only 88 miles therefrom, and 146 miles from Philadelphia, leaving in favour of the former 58 miles. These are important facts which cannot be too deeply impressed upon the citizens of Philadelphia—facts which greatly involve the prosperity of the state, and the large and fertile district through which

this contemplated improvement would pass. And besides, it is the nearest, the only natural and feasible route, taking it in every view, to convey the trade of the the Susquehanna to the Philadelphia market. It would open an extensive communication with the most fertile part of the state of New York, through which the Susquehanna flows an immense trade which now takes the great New York canals would take this course. The Merchants, who are ever anxious to receive their Spring goods as early as possible, would repair to Philadelphia, lay in their stock, and have them conveyed home by this route ere the New York canal would be open. In fact, such a flood of wealth would pour in on Philadelphia from this source alone, as to render it the most flourishing city in the Union. But if the citizens of Philadelphia will view these advantages with indifference—if they will fold up their arms and repose in a state of lethargy, while the citizens of Baltimore are straining every nerve to grasp at “one fell swoop,” all the trade that flows down the Susquehanna, the fault rests upon their heads, and they will discover their error when it is too late.

We have materials to say a vast deal more on this subject, but must defer it until another time.

*Miner's Journ.*

### LAW CASE.

#### *Rights of Landlord under an execution against his Tenant.*

Elizabeth Allen, }  
vs. } Common Pleas.  
Peter Lewis. }

The Plaintiff was owner of a house in Christian street, occupied by Conrad Esher, who was indebted to her in the sum of \$88 75 for rent.

A judgment was obtained against Esher at the suit of and an execution taken out and placed in the hands of the defendant who was a constable. The defendant with this process levied on the goods and chattles of Esher, then being upon the premises, & removed a considerable quantity of them to a neighboring tavern, and sold to the amount of the judgment under which he acted, leaving the residue of the goods unsold, (which would have been, if sold under the execution, amply sufficient to satisfy both the writ and execution) at the place to which they had been removed, giving Esher, notice thereof.

After the sale, but before the return and before the proceeds were paid over, the defendant received notice from the owner (who was not before aware of the proceedings) that the said sum was due and claimed for rent.

The owner the day following, made a distress upon the premises and received from the goods distrained and sold (they being all that could be found upon the premises) the sum of \$22 89 which reduced her claim from \$88 75 to \$65 86, the amount now claimed.

The question submitted to the Court, is, whether the defendant is bound to pay the claim of the owner for rent out of the proceeds of the sale made by him or not.

The constable was informed by the tenant on the premises, that no rent was due, and, upon inquiry who was the Landlord, could obtain no satisfactory information.

#### *Case Stated.*

King, President.—(After stating the case,) the Act of the 21st of March 1772, sec. 4th, 1 Smith 370, does not in the terms designate, that a landlord to whom rent is in arrear, shall give notice of his claim to the sheriff who levies an execution on the personal property of his tenant; but principle and authority both require that at some period of the transaction, the sheriff should have notice of the landlord's claim, in order to render him chargeable for its payment from the avails of the execution. The time when such notice ought to be given, is not well defined by the decisions. The case of *Mitchell vs. Steward* 13th Sergeant & Rawle, at most, determines that no

tice given after the return of the execution, is too late—I say the most it determines, because the case before the court did not render it necessary to go even so far; the demand by the landlord on the sheriff in that case being first made, six months after the return of the execution. A case of grosser laches would not well be imagined. But the case before us presents no circumstances from which laches can be fairly inferred. *Before the return of the execution, and before the proceeds were paid over to the plaintiff*, that the defendant received notice of the claim for rent, and this notice was given by the plaintiff immediately after she ascertained the fact of the levy on her tenant. I am inclined to admit, that the authority of *Mitchell vs. Steward*, would have kept the defendant harmless, if he had been in ignorance of the plaintiff's claim until after the return of his execution; but further than this I am not inclined to go, particularly in an execution issued by a Justice of the Peace where a return so promptly follows the issuing of the writ: (Act of 20th March, 1810, Sec. 11—Purd. 454.)

But if the Supreme Court had ruled what the case of *Mitchell vs. Steward* shows was expressly avoided, viz: that notice must be given by the landlord to the sheriff in time to enable him “to extend his levy,” it might fairly be contended that even such a rule was complied with here.

The whole circumstances of the case, so far from exhibiting such negligence on the part of the plaintiff, as ought to deprive her of a legal preference given by positive law in my judgment, proves her to be the aggrieved party. The defendant in executing his writ not only removed from the premises property of the tenant adequate to satisfy the debt and costs, but “amply sufficient to satisfy the rent and execution.” The residue, after selling to the amount of the execution, was left, by the defendant, at the place of sale, where the plaintiff could not distrain them for such part of the rent as was absolutely due, and where the goods were subject to other executions, which if levied there, would necessarily defeat the plaintiff's claim for rent; such claim being limited to cases in which an execution is levied on goods upon the demised premises. The event actually occurred—a second execution swept them away, and being levied on them, off the premises, the District Court, with perfect propriety, refused to appropriate any part of the proceeds of the sale, under the second execution, to the payment of the plaintiff's rent. This removal of the plaintiff's security was needless if not vexatious, if the defendant only contemplated satisfying his execution, and resulted in the loss of all the rent due if this case is determined against her. I attach no other importance to the alleged declaration of the tenant to the defendant, that no rent was due when the execution was levied; except so far as it brings home to him the knowledge of the existence of a tenancy; and that fact being ascertained, he ought to have known that it was almost certain that the landlord must receive some portion of rent from the execution, if it swept the principal effects of the tenant; inasmuch as the law apportioned rent in such cases, and allows the landlord payment up to the time of the levy, although the rent is not then strictly due. 5 Binn. 505 Binn. vs. Hudson. He, it seems, enquired who was the landlord; but obtained what seems was not “satisfactory information.” What information in the eye of the law is satisfactory? Is that which ought to be satisfactory? To have enabled us to judge whether the information given to this defendant, was or was not of this description, the facts connected with it should have been spread before us. But as we must take the case as we find it, we consider that as some information was given to the defendant which ought to have put him on enquiry, one circumstance is developed which, with the others disclosed, tend to establish the position which we are now considering, viz: that the aggregate circumstances of this case instead of establishing laches against the plaintiff, if they do not actually prove remissness in the defendant, show nothing which could call upon us



to assimilate this case to that of *Mitchell vs. Steward*, and record a similar decision. On the whole case, my judgment is with the plaintiff.—*U. S. Gazette*.

### RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

Nov. 23, 1748.—Commission read 17th March last, from the honorable proprietaries, Thomas Penn, and Richard Penn, Esquires, constituting the Hon. James Hamilton, Esq. late Chief Justice, Lieut. Governor and Commander in Chief of the Province of Pennsylvania, and counties of New Castle, Kent and Sussex. His Majesty's approbation, by order of council, 12th May.

Jan. 3, 1749.—Assembly present Governor with £600.

May 15.—A definitive treaty of peace and friendship having been concluded at Aix La Chapelle, on the 7th of October, 1748, the Governor, &c. went in procession to the court house, and proclaimed the peace on the 17th.

June 30.—A letter, with some papers, received by express from Gen. Clinton, purporting that two New England men, on their return from Canada, where they had been to solicit the release of some prisoners, reported that they saw an army of 1000 French ready to go on some expedition, and they were informed it was to prevent any settlements being made by the English on Belle-riviere, (Ohio;) whereupon it was determined to dispatch a messenger to Mr. George Croghan, with a request that he would go immediately to Alleghany, and on his arrival, send away a trader, or some person he could confide in, to the Lakes or to the eastward, to discover whether any French were coming in those parts, and if any, in what numbers, and what appearance they made, that the Indians might be apprized, and put upon their guard.

July 1.—Two Senecas, two Onondagoes, some Tutelas and others, Nanticokes and Coneys, arrived in Philadelphia, and were present in council. They stated that early in the spring, a council was held at Onondaga by their nation, and sundry affairs considered. Among others, an answer to a proposal for a peace with the Catawbas, made by the former Governor of Pennsylvania. It was likewise said a new Governor had arrived in Philadelphia, and it would be proper to shake hands with him. They therefore determined to send deputies. Wyoming was appointed for the place of their meeting. That these Indians had staid there a month, but the others did not come. They therefore proceeded to Philadelphia. They complained of the white people settling on this side of the Blue Mountains, and they wished to know if the new Governor had orders or instructions to allow it. If not, that they might be forced to remove; recommending the same harmony and mutual affection to be preserved that had subsisted in former times, "nay, from the first settlement of this province by our good friend the great Wm. Penn." They complained of their poverty, but presented the Governor with a small bundle of skins to make him a pair of shoes.—£100 were agreed to, to purchase a present for these Indians.

July 4.—Governor's answer to the Indians, approving their coming to Philadelphia. That as the Governor stood engaged by treaty not to suffer any of their people to settle on lands, till they were purchased by the proprietaries, they had proclaimed that none should presume to settle on the west side of the ridge of mountains, which is the boundary: some that had been so audacious as to go there have been forcibly removed, and their plantations broken up. No new orders had been received. The offenders should be brought to justice. A present was then made of strouds, duffils,

half thick; gunpowder, lead, shot, vermilion, shirts, guns, brass kettles, hatchets, knives, flints, looking glasses, awl blades, garters, ribbons, bed lace, scissors, ear rings, rings, Morris's bells, thimbles, beads, Jew-harps, handkerchiefs, tobacco and pipes, and C. Weiser had their guns mended.

July 18.—Proclamation issued commanding all such persons as had settled west of the blue hills, to remove by the 1st November.

August 8.—These Indians were told on their departure, if they met the other deputies, to inform them what they had done, and persuade them to return.—They did meet them, but the others continued their journey and were daily expected.

August 11.—In consequence of the Indians being on the road, a proclamation was issued, forbidding any person to give or sell them any strong liquors, except such as had the care of them.

August 16.—Act for erecting York County. On information from Mr. Weiser, that the other Indian deputies were at Shamokin, on their way to the city, the Governor sent express to him to try all ways to divert them from coming, which he did; but they resented it so much, he was obliged to drop it, and they were now arrived in town; not only these deputies, but the Seneca deputies, and with the Mohicans, Tutelas, Delawares and Nanticokes, amounting to 280 in number. The Governor paid a ceremonious visit, as usual, and appointed this day to hear them in council. Canasatego spoke:—stated, that as the war was finished they came to pay a visit, expressing the continuance of their regard for the people of this province—complaining of the settlements of the white people on the Juniata, and requesting their expulsion, offering to assign the lands from the east side of the Susquehanna from the blue hills, to Thomas M'Gee's house, for money or goods.

August 19.—Assembly resolved to give an additional present to the Indians, amounting to £500, requesting that the proprietary's agents would give an addition, and also contribute to the expenses of this visit.

August 21.—Governor answers the Indians, thanking them for the neutrality of the six nations during the late war, and gave presents of the same sort of articles as before, and a new purchase of lands was agreed on, for which £500 were given. [Note.—The deed is dated August 2, 1749, and the Indian signatures are very curious. The land is mostly poor, ridgy and mountainous, taking in parts of Wayne, Luzerne, Schuylkill, Northumberland and Dauphin Counties.] *To be Continued.*

### AMERICAN SILK—No. 14.

This is indeed, a blessed country; like the northern nations of the old world, it is not reduced to boasting of the most common productions of the earth; of her leeks, of her kale, of potatoes, or of a piece of animal food, like Caligula's horse ennobled;—nor, like those of the south and east while loaded with the bounties of nature, does she groan under the iron yoke of despotism; her granaries are filled with the corn of Africa and Sicily; the oil of Italy and the wines of France only wait for the hand of skilful industry to flow in streams through the land; her fields are enriched with the cotton of the East and the sugar of the West, and the bowels of her earth teem with the iron of Scandinavia, the coals of Albion and the gold of Ophir. In the midst of all these riches, her genius conquers the elements, and her statesmen give examples of free government to the world, which the world strives in vain to imitate; she extends the hand of friendship to all mankind; her tents are the alien's home, and he, (if such there be,) who would oppress the friendless stranger, finds his hand suddenly palsied, and the stranger stands upright, in the face of the country that protects him, and smiles on him with benevolence.

These thoughts occurred to my mind, while I was admiring the richness of the silken treasures which nature has provided for this country. I am going to con-



sider this subject in a point of view, which I believe, will be found as interesting as it is new; the facts that I shall state, although they may strike every body's eye have not only not yet been noticed, but appear to me to have been most unaccountably overlooked by those who have professed to treat of the culture of silk in this country.

In China, the native country of the silk worm, that useful insect is born, grows and thrives in the open air. Like the common caterpillar, it nestles upon trees, and there winds its beautiful cocoons.—In Europe, on the contrary, in Italy and the south of France, notwithstanding the boasted mildness of those climates, the egg is hatched and the worm is raised in *hot houses*, with infinite trouble and care. In the works of Dandolo and Bonafous, the most approved European writers on this subject, the one an Italian, the other a Frenchman, we find the most minute directions for regulating from day to day the heat of the stoves, and the farmer who raises silk worms, must have the thermometer constantly in his hand, the degrees of heat being fixed for every day of the growth of the animal and almost for every hour. The numerous works on the art of raising silk worms are in a great measure filled with these details.

In the first number of these essays, I gave an account of some experiments which I made on cocoons raised on the farm of Messrs. Ter Hoeven, near this city. I described the silk extracted from these cocoons as the most beautiful I had ever seen, and as superior in quantity as well as quality to that of Europe. These cocoons were produced without the aid of the thermometer, and even without any artificial heat.

I have said (in my ninth number) that I have seen cocoons spun by worms raised by a lady near Baltimore, *without any care*, and the silk of those cocoons was equally beautiful. I said, indeed, that the worms appeared to have suffered; but that might have been from causes unconnected with the degree of heat that they experienced. I am informed that in Connecticut, where sewing silk is made in great quantity, the directions of the European writers with respect to heat are not attended to; and, in short, although I have seen cocoons produced in various parts of this country, I have never heard that those directions were any where followed.

These facts made me reflect a great deal, in order to discover by what cause they might be produced; nevertheless, my mind was not satisfied. I turned to the American writers, and particularly to the Manual published under the authority of Congress, to which I have before several times referred. There I expected to have my doubts completely removed; but I was surprised to find that the learned writer recommended the whole method of the foreign writers; not on the ground of observation and experience, but on mere general reasoning, and on the authority of those writers themselves. Let us hear him speak for himself.

After several arguments, principally derived from the vicissitudes of the American atmosphere, he thus continues: (p. 49.) "Thus, whether amusement or profit be the object, a thermometer is essential (to the raising of silk worms.) It will be asked, do the people of Connecticut use thermometers? if not do they not succeed without them? It is *believed* that they are not employed; and the consequences are, that millions of worms must die from the causes mentioned; that the profit is thus greatly diminished; and that many worms, which do service, become debilitated, spin small cocoons, and produce diminutive moths, and bad eggs. Hence the race is liable to degenerate." Elsewhere, (p. 69,) the writer re-umes the same argument, without, however, referring to any facts but the vicissitudes of the American climate, and confirms his reasoning by saying "all the practical writers, expressly consulted on this subject, are agreed." Then alluding to an assertion of Sauvages, a French writer who said, and I think with reason, as he speaks from experiments, that the silk worm will bear a greater degree of heat than that to

which Dandolo limits them in their early age, he says: "Dandolo writes after years of practice upon a very large scale, and recommends the degrees of heat which always insured him success. Other practical writers agree with Dandolo. No one it is presumed, will be at a loss to decide which of those authorities is most worthy of being followed."

It appears to me that the author of the Manual relied here too much on foreign authorities, and too little on his own judgment, which it is most probable would have led him to different conclusions. When he ventured to assert that in the State of Connecticut, because Dandolo's directions, as he believes, are not followed, "*millions of silk worms must die, or become debilitated, and that their race will degenerate.*" I cannot help wishing that he had ascertained the fact which might have been, I should think, easily done, as Connecticut is not at so great a distance from the capital, nor, indeed, from any part of the United States, that information from thence could not have been obtained on which reliance might have been placed. Conjectures can but illy supply the place of positive facts.

Sensible of the respect that I owe to opinions of American writers, and particularly to that of the author to whom I allude, it will be easily perceived that I found myself greatly embarrassed. I saw silk worms raised and fine silk produced every where in this country, without the use of stoves or thermometers, yet I was aware of the strength of objection drawn from the vicissitudes of the American atmosphere, and indeed I have, in the second number, expressed my astonishment at the success of the culture of the silk worm, notwithstanding this great and serious obstacle. Disappointed in the means that I had resorted to in order to fix my opinion upon the subject, and to find a rational cause for the wonders that every day struck my eyes, I determined, at last to study as well as I could the climate and temperature of this country, persuaded that I should find there the solution of this great problem. I knew from experience, and from the uniform assertions of European writers, that a temperature not below the 14th deg. of Reaumur, or the 62d Fahrenheit's thermometer, could not be hurtful to the silk worms, and on this basis I proceeded in my researches.

I in the first place examined the meteorological observations which are daily inserted in the Democratic Press, published in this city, and there I found to my great satisfaction, that from the 22d of May to the 22d June of the present year, (the usual season for raising the silk worm,) the thermometer had not fallen below 69½° of Fahrenheit in the open air, although during that period the weather was sometimes unusually cool. In addition to this, I was shown by Mr. Elias Durand, of this city, a gentleman who is very fond of philosophical studies, a view which he took within the last ten years—but in what year he could not recollect, having mislaid the original of his drawing—in which he exhibited, by lines of different colours, the relative temperatures of Paris and Baltimore for every day during one twelve-month.

The rise and fall of the thermometer in those two cities, from one day to another, was, as he assured me, accurately marked from meteorological observations taken in each place, during the same period. The American temperature appeared much colder in winter and much warmer in summer; but what I remarked with the greatest pleasure, was, that from the last week in May inclusively, to the end of June, the thermometer did not fall below 68 degrees of Fahrenheit, which was rather extraordinary, as I have been informed that in these middle states it seldom falls lower in that period than 68 degrees.—This, however is a fact on which there must be many in this country better informed than myself; but if we take it for granted, it is evident that during the proper time for raising silk worms, the temperature is hardly ever such as to endanger their health; and unless it be so, I can perceive no way to account

for the success of American farmers in raising their silk worms, and producing such beautiful silk as that of America must be acknowledged to be, without any of those precautions respecting the degrees of heat which are taken by the silk culturists of Europe, and recommended by the writers of Italy and France. I am almost tempted to believe that the silk worm would succeed here in the open air, even on the leaves of trees, as it does in China. It appears to me to be well worth making the experiment, particularly in the southern states of this Union.

I cannot now speak of the variations of the thermometer in any particular season in the south of France where I resided, but this I can say, that when I arrived here about the end of May, I found the weather excessively hot, and more so than that to which I had been accustomed in the same season in my own country. I am told that the hot weather in America sets in about the 20th of May with particular violence; but of this I cannot judge by one year's experience. It undoubtedly began in this manner in the present year.

I am inclined therefore to believe, that at the particular period to which I have referred, the temperature of this country is different from that of the south of Europe, and more favourable to the raising of the silk worm. A fact which cannot be controverted comes in aid of this opinion.

In Europe, the raising of the silk worm, from the hatching of the egg to the completion of the cocoon, occupies 45 and sometimes 47 days. (See Dandolo,\* Bonafous, and the writers generally, *passim*.) In this country, on the contrary, 31 days are sufficient. I am ascertained of this fact. 1. By Messrs. Ter Hoeven, who raised, as they told me, in that space of time, the worms that spun the cocoons from which I extracted the beautiful silk mentioned in the first number of these essays; 2dly. by Nicholas Norris, Esq. of Baltimore, who assured me that in the same number of days he had raised a great quantity of silk worms to the completion of their cocoons; 3d. and lastly, by Dr. Pascalis, who wrote to me, on the 3d of last month, that a quantity of worms which he does not specify had "mounted and spun their cocoon" in 31 days, and that not a single one had died, though they had suffered from cold, hunger and dampness, during the most terrible month of June that he had ever known. These are his expressions. It is true that he adds that his worms had been submitted to the process of electricity; but I do not think that made any difference, and their success must, in my opinion, be attributed to the favourable temperature of the climate.

In one of my former numbers I mentioned that, at the request of my Baltimore friends, I had promised to publish an almanac containing the most essential directions for silk culturists; but the more experience I acquire respecting the climate of this country, the more I find that it requires more knowledge of it than I am possessed of, to venture upon prescribing rules to the American farmer. I should have visited nurseries, observed the growth of the mulberry trees, and watched the pro-

\*Dandolo wrote his book principally for the north of Italy. After giving his directions respecting the temperature to be preserved and other things to be attended to in the raising of silk worms, he says: "In countries where by the effects of the climate the temperature is always hotter than that which I have mentioned as the proper one for the period of mounting, (16 degrees Reaumur or 66 degrees Fahrenheit,) the air is dry without being agitated, as is almost always the case in the vicinity of mountains. In those countries it is sufficient to leave a free current to the air where it is the coolest. Although it is useless, for hot countries, to enter into the details mentioned in this book, yet I have thought that in an elementary work, it was proper to fix the rules of the art for every country and every climate," &c.—Dandolo, p. 205.

gress of the silk worms, to entitle me to act the part of a teacher in this branch of national agriculture. My wish to be useful to this country made me presumptuous, the same sentiment makes me acknowledge my error.

When I intimated that this essay should be the last, I had not in contemplation the communications that I have just made. I did not expect to come so near a solution of the problem that occupied my mind. It is possible, therefore, that I may trespass again on the indulgence of the public.

17th. September, 1829.

J. D'HOMERGUE.

*West-Chester, Pa. Sept. 16.*

We have seen a parcel of silk made this season, by Mrs. Baker, of West Bradford, remarkable for its purity and whiteness. This specimen is an evidence of what may be done in the cultivation of Silk, and should stimulate to new efforts in that valuable, but too much neglected, branch of industry.

### TYPES & TYPE FOUNDRIES.

As the introduction of types and foundries has lately created some inquiry, we give the following extract from Thomas' 'Art of Printing,' vol. II. p. 83. The author took great pains to obtain correct information—in which therefore we presume he succeeded, and will probably satisfactorily settle the question. It appears that Pennsylvania was the first of the U. S. to introduce the regular business of manufacturing types.

"A Foundry, principally for Gothic, or German types, was established at Germantown, Pennsylvania, several years before the revolution; but that foundry was chiefly employed for its owner, Christopher Sower,\* who printed the Bible, and several other valuable works, in the German language.

Some attempts were made about 1768, to establish foundries for types—one at Boston by Mr. Mitchelson, from Scotland; another in Connecticut by a Mr. Buel; but they were unsuccessful. In 1775, Dr. Franklin brought from Europe to Philadelphia, the materials for a foundry; but little or no use was made of them.

Soon after the close of the revolutionary war, John Baine, type founder, of Edinburgh, sent the materials for a foundry to this country, by a kinsman, I believe his grandson, who settled at Philadelphia. Baine came over himself, soon after; and they were the first who regularly carried on the business of type founders in the United States. They were good workmen, and had full employment. The types for the Encyclopedia, twenty one volumes quarto, printed some years since by Dobson, at Philadelphia, were cast at their foundry. Baine died in August, 1790, aged 77. He must have been 70 years of age when he arrived at Philadelphia. His kinsman returned to Scotland.

At the commencement of the late commotions in Holland, an ingenious type founder, from that country, came and settled at New-York. His foundry was calculated, principally, for Dutch and German types, the casts of which were handsome. The faces of his English letter were very ordinary. He was a Dutch patriot, who had lost most of his property, and was obliged to fly from his country. His want of funds disabled him from carrying on the business here with success.

At this time (1810) we have three or more type foundries in the U. S. The types from which this work is printed, were manufactured by Binney and Ronaldson, at Philadelphia."

\*Sower died in 1760. See vol. 2, p. 83.

### PENNSYLVANIA CANAL.

We understand, that the Governor, who left this city on Saturday, was not able to accomplish the object of his visit, and that he intends to convene the legislature soon after the election in October. The failure to pro-

cure the necessary funds to complete the great scheme of internal improvement cannot fail to be a source of regret to every Pennsylvanian, and of mortification to every friend to the interests of Philadelphia. It is not necessary, at this time, to advert to the cause of the failure to procure funds, as we believe that the citizens generally, as well in the interior as in the city, are pretty well informed on the subject.

As connected with this subject, we copy a circular addressed by James Clarke, Esq. one of the acting canal commissioners to the contractors on the Juniata division of the canal.

*To the Contractors on the Juniata Division of the Pennsylvania Canal.*

In justice to you, and the public, I have thought it necessary to publish the following Circular, which I have just received from the Commissioners of the Internal Improvement fund.—It informs us of a fact, which although expected, is nevertheless exceedingly unpleasant in the midst of active operations.

On the old line of 45 miles, from this place, to Duncan's Island, it has been calculated to commence letting the water into the canal within a few days, while the two dams on the Juniata, and the river locks connected with them, are undergoing an effectual repair. All of which it is confidently believed would be completed and ready for active use this season. How far the following communication may postpone our anticipations cannot now be foreseen: But no effort, or reasonable accommodation, shall be wanting on my part to have the whole work on the lower part completed.

Conceiving it necessary to inform the contractors on the upper line, between this place and Huntingdon, that as the funds provided by the Legislature, for canal and rail road purposes are exhausted, and as there is now no unappropriated funds to draw upon, even by anticipation, there will therefore be no certificates for work done, issued hereafter. But it is my most earnest desire, that those contractors who have the means of prosecuting their jobs, may continue the work without relaxing their efforts; as there can be no doubt, but that the Legislature of Pennsylvania will immediately after it is convened, provide funds for sustaining the credit of the commonwealth, by paying the contracts which have been entered into agreeably to law, and prosecuting the public works now begun to completion.

JAMES CLARKE,  
Acting Commissioner.

Juniata Canal Office,  
Lewistown, Sept. 12, 1829.

#### CIRCULAR.

James Clarke, Esq. Acting Commissioner Juniata Division Pennsylvania Canal.

Sir—We have thought it proper to inform you that the drafts already made upon the Treasurer of the Canal Commissioners, by the Acting Canal Commissioners and Superintendants of the canals and rail roads, equal the amount of money appropriated at the last session of the legislature, and made applicable to the construction of canals and rail roads.

Very respectfully, your ob't. serv'ts.

C. BLYTHE.  
DAVID MANN,  
A. MAHON.

Commissioners of Internal Improvement Fund.  
[American Sentinel.]

#### MISCELLANEOUS.

We are pleased to see the following notice of an attempt to form societies in the interior for the purpose of collecting and preserving facts relative to the history of the state. We would gladly give their transactions a place in the Register (which was established for the same object), and would be pleased to receive any communications from the gentlemen who have made the

proposition—presuming they have already some information which would be useful and interesting on the subjects referred to in the notice. Can any of them inform us, where Wm. Penn proposed to found a city on the Susquehanna in 1690, agreeably to the plan which we published in our first vol. page 400?

The formation of Antiquarian Societies is recommended by a number of gentlemen in this section of country, for the purpose of ascertaining the facts relating to the first settlements along the Susquehanna, and having them published. Societies might be formed in Dauphin, Cumberland, Perry, Northumberland, Union, Columbia, Lycoming, Luzerne, Susquehanna, Bradford and Tioga, who could send delegates once a year to a general convention, (held at some central point) with such information as may be obtained by each society.—This has been in contemplation for some time, and we hope to see it prosecuted with vigor in the different counties.

A meeting will shortly be held in this county to take the matter into consideration, when every one interested will be respectfully invited to attend. *Susq. Em.*

#### HOLCUS BICOLOR.

##### *A Substitute for Chocolate.*

There is a plant cultivated in Lancaster county Pennsylvania, which is considered an excellent substitute for Chocolate. It is the *holcus bicolor* of Willdenow, from the seed of which is made a beverage resembling in color, taste, and many other qualities, the common chocolate. The plant is an annual, 8 or 10 feet in height, and resembling the common broom. The *holcus bicolor* is a native of Persia, and grows well in this country. A single plant will yield seed enough to produce by a second year's crop, a sufficiency to furnish a family of six or eight persons for a whole year, with a good and nourishing beverage, which is supposed to be preferable to tea or coffee. It is thus prepared:—The seed and husks are ground in a coffee-mill into grains some-what smaller than ground coffee: it is then boiled over a slow fire, with a sufficient quantity of milk, and a small piece of butter, until the beverage assumes a chocolate color, which it receives from the husks. The liquor is then strained through gauze and sweetened till palatable.—*N. E. Farmer.*

A beautiful apple, weighing one pound seven ounces, from the orchard of George Ashbridge, Esq., in this borough, was brought to this office yesterday.—*Vil. Rec.*

*Schuylkill Coal.*—Various opinions appear to be entertained with respect to the quantity of Schuylkill coal that will be sent to market, this season. We cannot dip our pen into futurity and register forthcoming events, but we can form an estimate from existing facts, that will not materially deviate from the actual quantity.—The number of tons sent to market amounts to 48,482, which has been at the rate of about 2000 tons per week since the navigation opened, and we have no reason to believe that the weekly quantity will be augmented for the remainder of the season. Taking this for granted, our shipments cannot amount to more than 65,000 tons. The Lehigh Company may send from 18 to 20,000—making in all 85,000 tons. The consumers may rest assured that this will be the whole quantity of coal they can possibly receive from the two places, unless the navigation of both canals remain open until January, which, in the common course of events, is rather problematical.

*Miner's Journ.*

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 14. PHILADELPHIA, OCTOBER 3, 1829. NO. 92.

## THE CONSTITUTION OF PENNSYLVANIA, 1776.

At a Meeting of the Convention for the State of Pennsylvania, held at the State-house, in the City of Philadelphia, on the 28th day of Sept. 1776.

WHEREAS all government ought to be instituted and supported for the security and protection of the community as such, and to enable the individuals, who compose it, to enjoy their natural rights and the other blessings which the author of existence has bestowed upon man; and, when ever these great ends of government are not obtained, the people have a right, by common consent, to change it, and take such means as to them may appear necessary to promote their safety and happiness.— And whereas the inhabitants of this commonwealth have, in consideration of protection only, heretofore acknowledged allegiance to the king of *Great Britain*; and the said king has not only withdrawn that protection, but commenced and still continues to carry on, with unabated vengeance, a most cruel and unjust war against them, employing therein not only the troops of *Great Britain*, but foreign mercenaries, savages and slaves, for the avowed purpose of reducing them to a total and abject submission to the despotic domination of the *British* parliament, with many other acts of tyranny (more fully set forth in the declaration of Congress) whereby all allegiance and fealty to the said king, and his successors, are dissolved and at an end, and all power and authority derived from him ceased in these colonies. And whereas it is absolutely necessary for the welfare and safety of the inhabitants of said colonies, that they be henceforth free and independent states, and that just, permanent and proper forms of government exist in every part of them, derived from, and founded on the authority of the people only, agreeable to the direction of the honorable *American Congress*.

W<sup>e</sup>, the representatives of the freemen of *Pennsylvania*, in general convention met, for the express purpose of framing such a government, confessing the goodness of the great governor of the universe, (who alone knows to what degree of earthly happiness mankind may attain, by perfecting the arts of government) in permitting the people of this state, by common consent, and without violence, deliberately to form for themselves such just rules as they shall think best for governing their future society; and being fully convinced that it is our indispensable duty to establish such original principles of government as will best promote the general happiness of the people of this state and their posterity, and provide for future improvements, without partiality for or prejudice against any particular class, sect or denomination of men whatsoever, *do*, by virtue of the authority vested in us by our constituents, ordain, declare and establish the following declaration of rights and frame of government, to be the constitution of this commonwealth, and to remain in force therein forever, unaltered, except in such articles as shall hereafter, on experience, be found to require improvement, and which shall, by the same authority of the people fairly delegated, as this frame of government directs, be amended or improved for the more effectual obtaining and securing the great end and design of all government herein before mentioned.

VOL. IV.

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## CHAPTER I.

### *A DECLARATION of the RIGHTS of the Inhabitants of the Commonwealth or State of Pennsylvania.*

1st, THAT all men are born equally free and independent, and having certain natural, inherent and unalienable rights amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.

2d, That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding: And that no man ought or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry, contrary to, or against his own free will and consent: Nor can any man, who acknowledges the Being of a God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments, or peculiar mode of religious worship: And that no authority can or ought to be vested in, or assumed by, any power whatever, that shall in any case interfere with, or in any manner controul the right of conscience, in the free exercise of religious worship.

3d, That the people of this state have the sole exclusive and inherent right of governing and regulating the internal police of the same.

4th, That all power being originally inherent in, and consequently derived from the people; therefore all officers of government, whether legislative or executive, are their trustees and servants, and at all times accountable to them.

5th, That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; and not for the particular emolument or advantage of any single man, family or set of men who are a part only of that community: And that the community hath an indubitable, unalienable and indefeasible right to reform, alter or abolish government in such a manner as shall be by that community judged most conducive to the public weal.

6th, That those who are employed in the legislative and executive business of the state, may be restrained from oppression, the people have a right, at such periods as they may think proper, to reduce their public officers to a private station, and supply the vacancies by certain and regular elections.

7th, That all elections ought to be free; and that all free men having a sufficient evident common interest with, and attachment to the community, have a right to elect officers, or be elected into office.

8th, That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when necessary, or an equivalent thereto.

But no part of a man's property can be justly taken from him, or applied to public uses, without his own consent, or that of his legal representatives: Nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto, if he will pay such equivalent: Nor are the people bound by any laws, but

such as they have in like manner assented to, for their common good.

9th, That in all prosecutions for criminal offences, a man hath a right to be heard by himself, and his counsel, to demand the cause and nature of his accusation, to be confronted with the witnesses, to call for evidence in his favour, and a speedy public trial, by an impartial jury of the country, without the unanimous consent of which jury he cannot be found guilty: Nor can he be compelled to give evidence against himself; Nor can any man be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers.

10th, That the people have a right to hold themselves, their houses, papers and possessions free from search or seizure; and therefore, warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are contrary to that right, and ought not to be granted.

11th, That in controversies respecting property, and in suits between man and man, the parties have a right to trial by jury; which ought to be held sacred.

12th, That the people have a right to freedom of speech, and of writing, and publishing their sentiments; therefore the freedom of the press ought not to be restrained.

13th, That the people have a right to bear arms for the defence of themselves and the state; and as standing armies, in the time of peace, are dangerous to liberty, they ought not to be kept up: And that the military should not be kept under strict subordination to, and governed by the civil power.

14th, That a frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality, are absolutely necessary to preserve the blessings of liberty, and keep a government free: The people ought therefore to pay particular attention to these points in the choice of officers and representatives, and have a right to exact a due and constant regard to them, from their legislatures and magistrates in the making and executing such laws as are necessary for the good government of the state.

15th, That all men have a natural inherent right to emigrate from one state to another that will receive them, or to form a new state in vacant countries, or in such countries as they can purchase, whenever they think that thereby they may promote their own happiness.

16th, That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances, by address, petition or remonstrance.

#### CHAPTER II.

##### *Plan or Frame of Government for the Commonwealth or State of Pennsylvania.*

Section 1st. The commonwealth or state of *Pennsylvania* shall be governed hereafter by an assembly of the representatives of the freemen of the same, and a president and council, in manner and form following.

Sect. 2d. The supreme legislative power shall be vested in a house of representatives of the freemen of the commonwealth or state of *Pennsylvania*.

Sect. 3d. The supreme executive power shall be vested in a president and council.

Sect. 4. Courts of justice shall be established in the city of Philadelphia, and in every county of this state.

Sect. 5th. The freemen of this commonwealth and their sons shall be trained and armed for its defence, under such regulations, restrictions and exceptions, as the general assembly shall by law direct; preserving always to the people the right of choosing their colonels, and all commissioned officers under that rank, in such manner and as often as by the said laws shall be directed.

Sect. 6th. Every freeman of the full age of twenty-

one years, having resided in this state for the space of one whole year next before the day of election for representatives, and paid public taxes during that time, shall enjoy the right of an elector: Provided always, that sons of freeholders of the age of twenty-one years shall be entitled to vote, although they have not paid taxes.

Sect. 7th. The house of representatives of the freemen of this commonwealth shall consist of persons most noted for wisdom and virtue; to be chosen by the freemen of every city and county of this commonwealth respectively: And no person shall be elected, unless he has resided in the city or county for which he shall be chosen, two years immediately before the said election; nor shall any member, while he continues such, hold any other office, except in the militia.

Sect. 8th. No person shall be capable of being elected a member to serve in the house of representatives of the freemen of this commonwealth more than four years in seven.

Sect. 9th. The members of the house of representatives shall be chosen annually by ballot, by the freemen of the commonwealth, on the second Tuesday in October for ever, (except this present year) and shall meet on the fourth Monday of the same month; and shall be styled *The general assembly of the representatives of the freemen of Pennsylvania*, and shall have power to choose their speaker, the treasurer of the state, and their other officers; sit on their own adjournments; prepare bills and enact them into laws; judge of the elections and qualifications of their own members; they may expel a member, but not a second time for the same cause; they may administer oaths or affirmations on examinations of witnesses; redress grievances; impeach state criminals; grant charters of incorporation; constitute towns, boroughs, cities and counties; and shall have all other powers necessary for the legislature of a free state or commonwealth; but they shall have no power to add to, alter, abolish or infringe any part of this constitution.

Sect. 10th. A quorum of the house of representatives shall consist of two-thirds of the whole number of members elected; and having met, and chosen their speaker, shall each of them, before they proceed to business, take and subscribe, as well the oath or affirmation of fidelity and allegiance herein after directed, as the following oath or affirmation, viz:

"I ———, do swear (or affirm) that, as a member of this assembly, I will not propose or assent to any bill, vote or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges as declared in the constitution of this state; but will, in all things, conduct myself as a faithful honest representative and guardian of the people, according to the best of my judgment and abilities."

And each member, before he takes his seat, shall make and subscribe the following declaration, viz.

"I do believe in one God, the creator and governor of the universe, the rewarder of the good and punisher of the wicked: And I do acknowledge the scriptures of the old and new testament to be given by divine inspiration."

And no further or other religious test shall ever hereafter be required of any civil officer or magistrate in this state.

Sect. 11th. Delegates to represent this state in Congress, shall be chosen by ballot, by the future general assembly, at their first meeting, and annually for ever afterwards, as long as such representation shall be necessary; any delegate may be superseded at any time, by the general assembly, appointing another in his stead; no man shall sit in Congress longer than two years successively, nor be capable of re-election for three years afterwards: And no person, who holds any office in the gift of the Congress, shall hereafter be elected to represent this commonwealth in Congress.

Sect. 12th. If any city or cities, county or counties, shall neglect or refuse to elect and send representatives to the general assembly, two thirds of the members from the cities or counties that do elect and send representatives, provided they be a majority of the cities and counties of the whole state when met, shall have all the powers of the general assembly as fully and amply as if the whole were present.

Sect. 13th. The doors of the house, in which the representatives of the freemen of this state shall sit in general assembly, shall be and remain open for the admission of all persons who behave decently, except only when the welfare of this state may require the doors to be shut.

Sect. 14th. The votes and proceedings of the general assembly shall be printed weekly, during their sitting, with the yeas and nays on any question, vote or resolution; where any two members require it, except when the vote is taken by ballot; and when the yeas and nays are so taken, every member shall have a right to insert the reasons of his vote, upon the minutes, if he desires it.

Sect. 15th. To the end that laws, before they are enacted, may be more maturely considered, and the inconvenience of hasty determinations as much as possible prevented; all bills of a public nature shall be printed for the consideration of the people, before they are read in general assembly the last time for debate and amendment; and, except on occasions of sudden necessity, shall not be passed into laws until the next session of assembly; and for the more perfect satisfaction of the public, the reasons and motives for making such laws shall be fully and clearly expressed in the preambles.

Sect. 16th. The style of the laws of this commonwealth shall be "Be it enacted, and it is hereby enacted by the representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, and by the authority of the same." And the general assembly shall affix their seal to every bill, as soon as it is enacted into a law, which seal shall be kept by the assembly, and shall be called "The seal of the laws of Pennsylvania," and shall not be used for any other purpose.

Sect. 17th. The city of Philadelphia, and each county in this commonwealth respectively, shall, on the first Tuesday of November in this present year, and on the second Tuesday in October annually for the two succeeding years, to wit, the year 1777, and the year 1778, choose six persons to represent them in general assembly: But as representation, in proportion to the number of taxable inhabitants, is the only principle which can, at all times, secure liberty, and make the voice of a majority of the people the law of the land, therefore the general assembly shall cause complete lists of the taxable inhabitants, in the city and each county in the commonwealth respectively, to be taken and returned to them on or before the last meeting of the assembly elected in the year one thousand seven hundred and seventy-eight—who shall appoint a representation to each in proportion to the number of taxables in such returns; which representation shall continue for the next seven years afterwards; at the end of which a new return of the taxable inhabitants shall be made, and a representation agreeable thereto appointed by the said assembly, and so on septennially for ever. The wages of the representatives in general assembly, and all other state-charges, shall be paid out of the state treasury.

Sect. 18th. In order that the freemen of this commonwealth may enjoy the benefit of election as equally as may be until the representation shall commence as directed in the foregoing section, each county at its own choice may be divided into districts, hold elections therein, and elect their representatives in the county and their other elective officers, as shall be hereafter regulated by the general assembly of this state and no inhabitant of this state shall have more than one annual vote at the general election for representatives in assembly.

Sect. 19th. For the present the supreme executive

council of this state shall consist of twelve persons, chosen in the following manner: The freemen of the city of Philadelphia and of the counties of Philadelphia, Chester and Bucks respectively, shall choose by ballot one person for the city and one for each county aforesaid, to serve for three years and no longer, at the time and place for electing representatives in general assembly: The freemen of the counties of Lancaster, York, Cumberland and Berks shall in like manner elect one person for each county respectively, to serve as counsellors for two years and no longer. And the counties of Northampton, Bedford, Northumberland and Westmoreland respectively, shall in like manner elect one person for each county, to serve as counsellors for one year and no longer. And at the expiration of the time for which each counsellor was chosen to serve, the freemen of the city of Philadelphia and of the several counties in this state respectively, shall elect one person to serve as counsellor for three years and no longer; and so on every third year forever. By this mode of election and continual rotation, more men will be trained to public business, there will in every subsequent year be found in the council a number of persons acquainted with the proceedings of the foregoing years, whereby the business will be more consistently conducted, and moreover the danger of establishing an inconvenient aristocracy will be effectually prevented. All vacancies in the council that may happen by death, resignation, or otherwise, shall be filled at the next general election for representatives in general assembly, unless a particular election for that purpose shall be sooner appointed by the president and council. No member of the general assembly, or delegate in Congress, shall be chosen a member of the council. The president and vice-president shall be chosen annually by the joint ballot of the general assembly and council, by the members of the council. Any person having served as a counsellor for three successive years, shall be incapable of holding that office for four years afterwards. Every member of the council shall be a justice of the peace for the whole commonwealth by virtue of his office.

In case new additional counties shall hereafter be erected in this state, such county or counties shall elect a counsellor, and such county or counties shall be annexed to the next neighboring counties, and shall take rotation with such counties.

The council shall meet annually, at the same time and place with the general assembly.

The treasurer of the state, trustees of the loan-office, naval-officers, collectors of customs or excise, judge of the admiralty, attorneys-general, sheriffs, and prothonotaries, shall not be capable of a seat in the general assembly, executive council, or Continental Congress.

Sect. 20th. The president, and in his absence the vice-president, with the council, five of whom shall be a quorum, shall have power to appoint and commissionate judges, naval-officers, judge of the admiralty, attorney-general and all other officers, civil and military, except such as are chosen by the general assembly, or the people, agreeable to this frame of government and the laws that may be made hereafter; and shall supply every vacancy in any office occasioned by death, resignation, removal or disqualification, until the office can be filled in the time and manner directed by law or this constitution. They are to correspond with other states, and transact business with the officers of government civil and military, and to prepare such business as may appear to them necessary to lay before the general assembly. They shall sit as judges to hear and determine on impeachments, taking to their assistance, for advice only, the justices of the supreme court; and shall have power to grant pardons and remit fines in all cases whatsoever, except in cases of impeachment; and in cases of treason and murder, shall have power to grant reprieves, but not to pardon, until the end of the next sessions of assembly. But there shall be no remission or mitigation of punishment on impeachments, except by act of the legislature. They are also to take care that the laws

be faithfully executed; they are to expedite the execution of such measures as may be resolved upon by the general assembly; and they may draw upon the treasury for such sums as shall be appropriated by the house.—They may also lay embargoes, or prohibit the exportation of any commodity, for any time not exceeding thirty days in the recess of the house only. They may grant such licenses as shall be directed by law: and shall have power to call together the general assembly when necessary, before the day to which they shall stand adjourned. The president shall be commander in chief of the forces of the state, but shall not command in person, except advised thereto by the council, and then only so long as they shall approve thereof. The president and council shall have a secretary, & keep fair books of their proceedings wherein any councillor may enter his dissent, with his reasons in support of it.

Sect. 21st. All commissions shall be in the name and by the authority of the freemen of the commonwealth of Pennsylvania, sealed with the state-seal, signed by the president or vice-president, and attested by the secretary; which seal shall be kept by the council.

Sect. 22d. Every officer of state, whether judicial or executive, shall be liable to be impeached by the general assembly, either when in office, or after his resignation, or removal for mal-administration. All impeachments shall be before the president or vice-president and council, who shall hear and determine the same.

Sect. 23d. The judges of the supreme court of judicature shall have fixed salaries, be commissioned for 7 years only, though capable of re-appointment at the end of that term, but removable for misbehaviour at any time by the general assembly;—they shall not be allowed to sit as members in the continental Congress, executive council, or general assembly, nor to hold any other office civil or military, nor to take or receive fees or perquisites of any kind.

Sect. 24th. The supreme court and the several courts of common pleas of this commonwealth shall, besides the powers usually exercised by such courts, have the powers of a court of chancery, so far as relates to the perpetuating testimony, obtaining evidence from places not within this state, and the care of the persons and estates of those who are *non compos mentis*, and such other powers as may be found necessary by future general assemblies, not inconsistent with this constitution.

Sect. 25th. Trials shall be by jury as heretofore. And it is recommended to the legislature of this state to provide by law against every corruption or partiality in the choice, return, or appointment of juries.

Sect. 26th. Courts of sessions, common pleas, and orphans courts shall be held quarterly in each city and county; and the legislature shall have power to establish all such other courts as they may judge for the good of the inhabitants of the state. All courts shall be open, and justice shall be impartially administered without corruption or unnecessary delay. All their officers shall be paid an adequate but moderate compensation for their services—and if any officer shall take greater or other fees than the laws allow him, either directly or indirectly, it shall ever after disqualify him from holding any office in this state.

Sect. 27th. All prosecutions shall commence in the name and by the authority of the freemen of the commonwealth of Pennsylvania; and all indictments shall conclude with these words, "Against the peace and dignity of the same." The style of all process hereafter in this state shall be, The commonwealth of Pennsylvania.

Sect. 28th. The person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison, after delivering up, *bona fide*, all his estate real and personal, for the use of his creditors, in such manner as shall be hereafter regulated by law. All prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident or presumption great.

Sect. 29th. Excessive bail shall not be exacted for bailable offences; and all fines shall be moderate.

Sect. 30th. Justices of the peace shall be elected by the freeholders of each city and county respectively, that is to say, two or more persons may be chosen for each ward, township or district, as the law shall hereafter direct. And their names shall be returned to the president in council, who shall commissionate one or more of them for each ward, township or district so returning, for seven years, removable for misconduct by the general assembly: But if any city or county, ward, township or district in this commonwealth, shall hereafter incline to change the manner of appointing their justices of the peace as settled in this article, the general assembly may make laws to regulate the same, agreeable to the desire of a majority of the freeholders of the city or county, ward, township or district so applying. No justice of the peace shall sit in the general assembly unless he first resign his commission, nor shall be allowed to take any fees; nor any salary or allowance except such as the future legislature may grant.

Sect. 31st. Sheriffs and coroners shall be elected annually in each city and county, by the freemen; that is to say, two persons for each office, one of whom for each, is to be commissioned by the president in council. No person shall continue in the office of sheriff more than three successive years, or be capable of being again elected during four years afterwards. The election shall be held at the same time and place appointed for the election of representatives; and the commissioners and assessors, and other officers chosen by the people, shall also be then and there elected, as has been usual heretofore, until altered or otherwise regulated by the future legislature of this state.

Sect. 32d. All elections, whether by the people or in general assembly, shall be by ballot, free and voluntary. And any elector, who shall receive any gift or reward for his vote, in meat, drink, monies or otherwise, shall forfeit his right to elect for that time, and suffer such other penalty as future laws shall direct. And any person who shall directly or indirectly give, promise or bestow any such rewards to be elected, shall be thereby rendered incapable to serve for the ensuing year.

Sect. 33d. All fees, licence money, fines & forfeitures heretofore granted, or paid to the governor, or his deputies for the support of government, shall hereafter be paid into the public treasury, unless altered or abolished by the future legislature.

Sect. 34th. A register's office for the probate of wills and granting letters of administration, and an office for the recording of deeds, shall be kept in each city and county. The officers to be appointed by the general assembly, removable at their pleasure, and to be commissioned by the president in council.

Sect. 35th. The printing presses shall be free to every person who undertakes to examine the proceedings of the legislature, or any part of government.

Sect. 36th. As every freeman, to preserve his independence, (if without a sufficient estate) ought to have some profession, calling, trade or farm, whereby he may honestly subsist, there can be no necessity for, nor use in establishing offices of profit, the usual effects of which are dependance and servility, unbecoming freemen, in the possessors and expectants; faction, contention, corruption and disorder among the people. But if any man is called into public service, to the prejudice of his private affairs, he has a right to a reasonable compensation. And whenever an office, through increase of fees, or otherwise, becomes so profitable as to occasion many to apply for it, the profits ought to be lessened by the legislature.

Sect. 37th. The future legislature of this state shall regulate entails in such a manner as to prevent perpetuities.

Sect. 38th. The penal laws as heretofore used, shall be reformed by the future legislature of this state, as soon as may be, and punishments made in some cases less sanguinary, and in general more proportionate to the crimes.

Sect. 39th. To deter more effectually from the com-



mission of crimes, by continued visible punishment of long duration, and to make sanguinary punishments less necessary; houses ought to be provided for punishing by hard labour, those who shall be convicted of crimes not capital; wherein the criminals shall be employed for the benefit of the public, or for reparation of injuries done to private persons. And all persons at proper times shall be admitted to see the prisoners at their labor.

SECT. 48th. Every officer, whether judicial, executive or military, in authority under this commonwealth, shall take the following oath or affirmation of allegiance, and general oath of office before he enter on the execution of his office: The oath or affirmation of allegiance. "I — do swear (or affirm) That I will be true and faithful to the commonwealth of Pennsylvania; and that I will not directly or indirectly do any act or thing prejudicial or injurious to the constitution or government thereof as established by the convention." The oath or affirmation of office: "I — do swear (or affirm) That I will faithfully execute the office of — for the — of — and I will do equal right & justice to all men to the best of my judgment and abilities, according to law."—

SECT. 41st. No public tax, custom or contribution shall be imposed upon, or paid by the people of this state, except by a law for that purpose; and before any law be made for raising it, the purpose for which any tax is to be raised ought to appear clearly to the legislature to be of more service to the community than the money would be, if not collected, which being well observed, taxes can never be burthens.

SECT. 42d. Every foreigner of good character, who comes to settle in this state, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other just means acquire, hold and transfer land or other real estate; and after one year's residence, shall be deemed a free denizen thereof, and entitled to all the rights of a natural born subject of this state, except that he shall not be capable of being elected a representative until after two years residence.

SECT. 43d. The inhabitants of this state shall have liberty to fowl and hunt in seasonable times on the lands they hold, and on all other lands therein not inclosed; and in like manner to fish in all boatable waters and others not private property.

SECT. 44th. A school or schools shall be established in each county by the legislature, for the convenient instruction of youth, with such salaries to the masters paid by the public as may enable them to instruct youth at low prices: And all useful learning shall be duly encouraged and promoted in one or more universities.

SECT. 45th. Laws for the encouragement of virtue, and prevention of vice and immorality, shall be made and constantly kept in force, and provision shall be made for their due execution: And all religious societies or bodies of men heretofore united or incorporated for the advancement of religion and learning, or for other pious and charitable purposes, shall be encouraged and protected in the enjoyment of the privileges, immunities and estates which they were accustomed to enjoy, or could of right have enjoyed under the laws and former constitution of this state.

SECT. 46th. The declaration of rights is hereby declared to be a part of the constitution of this commonwealth, and ought never to be violated on any pretence whatever.

SECT. 47th. In order that the freedom of this commonwealth may be preserved inviolate for ever, there shall be chosen by ballot by the freemen in each city and county respectively, on the second Tuesday in October, in the year one thousand seven hundred and eighty-three and on the second Tuesday in October in every seventh year thereafter, two persons in each city and county of this state, to be called the *council of censors*; who shall meet together on the second Monday of November, next ensuing their election; the majority of whom shall be a quorum in every case, except as to calling a convention, in which two-thirds of the whole number elected shall agree; and whose duty it shall be to enquire whether

the constitution has been preserved inviolate in every part; and whether the legislative and executive branches of government have performed their duty as guardians of the people, or assumed to themselves, or exercised other or greater powers than they are entitled to by the constitution: They are also to enquire whether the public taxes have been justly laid and collected in all parts of this commonwealth, in what manner the public monies have been disposed of, and whether the laws have been duly executed: For these purposes they shall have power to send for persons, papers and records; they shall have authority to pass public censures, to order impeachments and to recommend to the legislature the repealing such laws as appear to them to have been enacted contrary to the principles of the constitution: These powers they shall continue to have, for and during the space of one year from the day of their election, and no longer: The said council of censors shall always have power to call a convention, to meet within two years after their sitting, if there appear to them an absolute necessity of amending any article of the constitution which may be defective, explaining such as may be thought not clearly expressed, and of adding such as are necessary for the preservation of the rights and happiness of the people: But the articles to be amended, and the amendments proposed, and such articles as are proposed to be added or abolished, shall be promulgated at least six months before the day appointed for the election of such convention, for the previous consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

On motion, *Ordered*, That the president and every member of this convention present, do sign the same, which was accordingly done, by the following members.

*For the City of Philadelphia.* Hugh Alexander,

Timothy Matlack,

Frederik Kuhl,

James Cannon,

George Schlosser,

David Rittenhouse.

*County of Philadelphia.*

Robert Loller,

Joseph Blewer,

John Bull,

William Coates.

*Co. of Bucks.*

John Wilkinson,

Samuel Smith,

John Keiler,

William Vanhorn,

John Grier,

Abraham Van Middleswartz,

Joseph Kirkbride.

*Co. of Chester.*

Benjamin Bartholomew,

Thomas Strawbridge,

Robert Smith,

Samuel Cunningham,

John Mackey,

John Fleming.

*Co. of Lancaster.*

Philip Marsteller,

Thomas Porter,

Bartram Galbreath,

John Hubley,

Alexander Lowrey.

*Co. of York.*

James Edgar,

James Smith,

*Co. of Cumberland.*

John Harris,

Jonathan Hoge,

William Clarke,

Robert Whitehill,

William Duffield,

James Brown,

James M'CLean.

*Co. of Berks.*

Jacob Morgan,

Gabriel Hiester,

Benjamin Spyker,

Valentine Eckart,

Charles Shoemaker,

Thomas Jones.

*Co. of Northampton.*

Simon Dresbach,

Jacob Arndt,

Peter Buckholder,

Jacob Stroud,

Neigal Gray,

Abraham Miller,

John Ralston.

*Co. of Bedford.*

Thomas Smith,

John Wilkins,

Benjamin Elliot,

Thomas Coulter,

Joseph Powell,

John Burd,

John Cesna.

*Co. of Northumberland.*

William Cooke,

James Potter,

Robert Martin,

Matthew Brown,

Walter Clark,

John Kelley,

James Crawford,

John Weitzell.

*Co. of Westmoreland.*

James Barr,

Edward Cook,

James Smith,

John Moore,

John Carmichael,

Christopher Lavingair.

BENJAMIN FRANKLIN. *President.*  
Attest JOHN MORRIS, JUNR. *Secretary.*

an assembly of this state, at their first meeting, immediately after they shall have chosen their speaker.

On motion, *Resolved*, That Mr. Rittenhouse, Mr. Cannon and Mr. Matlack be a committee to settle the incidental expences of this convention.

On motion, *Resolved*, That the president of this convention be allowed the same wages as the speaker of the late house of assembly, and that the vice-president draw an order on the state treasurer for the amount thereof.

On motion, *Resolved*, That Mr. Rittenhouse, Mr. Jacobs and Mr. Clymer be a committee to prepare the *seals* for the future legislature and executive council of this state.

*Resolved*, That immediate public notice be given by the secretary, that the freemen of this state are empowered, by the frame of government this day passed, to choose at their next election for representatives, in the city of Philadelphia and each county, one person as a consellor of state.

*Resolved*, That Mr. Cannon, Mr. Rittenhouse, colonel Matlack and colonel Bull be a committee to revise the minutes of this convention, and print two hundred and fifty copies of the same, together with the constitution, ordinances, &c. (one hundred of which to be bound) for the use of the members of this house.

On motion, *Ordered*, That the president sign orders on the state treasurer for the wages and mileage of each member of this convention.

On motion, *Ordered*, That the secretary of this convention have same wages as have been usually paid to the clerk of the assembly: But, as the secretary has not kept any account of particulars, the president is to ascertain the same, according to the rate and in proportion to the account settled for Charles Moore, Esquire, in September last, and to draw an order on the state treasurer for that sum.

*Resolved unanimously*, That thanks of this convention be given to the president for the honor he has done it by filling the chair during the debates on the most important parts of the bill of rights and frame of government, and for his able and disinterested advice thereon.

Then the convention rose.

### THE OLDEST BAPTIST CHURCH IN PENNSYLVANIA.

We always look with feelings of veneration, upon that habitation which may be regarded as the cradle of greatness or goodness, and on which antiquity has marked its deep impressions. In passing over such scenes we seem to call up the revered actors, to hold communion with the reposing spirits that once enlivened that solitude, and to identify them with all the names and incidents which gladden and diversify the present moment. We look back upon the generous anxiety with which their bosoms throbbed, when they laid those foundations on which others have built. We call to mind their mingled feelings of hope and fear, when they stretched the cords, and planted the stakes of their tents; and fixed a habitation for their God. Probably they indulged such questionings as these: Will the generations which are to come after us, build up, or demolish these feeble beginnings? Will they have a heart to respond to those *unutterable groanings of the Spirit* which now float along these waste places, or will they reject the memory of our humble deeds, and trample down these frail institutions as the remnants of a rude and uncultivated age? Will hearts, as ardent in the love of God, and tongues as vocal with his praise as ours are, continue to bow in the lowly temples which we construct in this wilderness; or will this prayer-hallowed ground, become the soil of the luxuriant weeds of error and vice?

*Ordered*, That the constitution of this commonwealth, as now agreed and signed by the members of this convention, be committed to the charge of the *council of safety*, with directions to deliver the same to the gener-

Such were the secret exercises of our mind on making, not long since, a visit to the BAPTIST CHURCH, at Lower Dublin, Pa. now the most ancient in this State, and among the oldest in America. The little company that first embodied with one accord to form this ancient society, had obtained a settlement on the pleasant stream then called Pemmapeka, now Pennepek, a few years subsequent to the grant of Charles II. to William Penn. The very names of the first settlers are preserved by the singular minuteness and fidelity of the historian of the Baptists, Morgan Edwards, and the constitution of the church bears date from the year of our Lord, 1688. The place they selected for their residence must have exhibited a most inviting aspect to these early emigrants. Though the hand of cultivation has marred the native beauties of the scenery, even yet there is much to invite the eye of him who loves to gaze upon nature's loveliness. Along the banks of the stream which we have named, there is a sweetness and a silence which invite to contemplation. Many native trees of the forest, which the indulgence of an importunate cultivation has yet spared, there interweave their hospitable branches, and cover with pleasant shades the green margin by which the laboring current softly meanders. A flat rock, which projects into the stream at a certain point, and leaves an easy slope into the water, has been for a series of years the platform on which the administrator of baptism has stood to propound the way of truth to the surrounding multitude, and from which he has conducted into the yielding elements below him, the placid forms of new converts.

Our opportunity for observation and thought was favorable. It was a mild morning in early spring, when the whole visage of nature was most serene and expressive. Winding our way to the ancient scite over the clear stream, and along the declivity which overlooks it, we arrived at the house of prayer before the congregation had generally gathered. A neat stone house, commodious, but not sumptuous, placed in the rear of a grove of oaks, came suddenly to view; and the more distant prospect showed the moving companies advancing to the place. But the joyous calm of the scene was disturbed by an unexpected sight. Turning our eyes towards the silent repository of the dead which had been partly concealed by the meeting house, we saw a pensive group surrounding an open grave, in which the slumbering remains of a fellow mortal were about to be laid. After a little interval another mournful procession advanced, and another coffin with its pale tenant was let down in the clay cold cell. This led us to look transiently through this cemetery which encloses the mortal remains of the worthy ancients. There our eye met, "clad in his rocky tunic," and reposing far from his kindred dust, the plain funeral tablet of the friend of our youth. A line on the surface only spoke the name and age of THOMAS GILLISON. A nobler inscription in the Lamb's book of life, as we humbly trust, perpetuates his memorial.

Upon entering the meeting-house we found a large and respectable congregation. When we reflected that many of those before us were the descendants of the men of prayer, and of the women of prayer, who had bowed in supplication to God, more than one hundred years ago, on that very spot, we could not but realize the faithfulness of a gracious and covenant keeping Father, who had preserved a seed to serve and honour him in that place. At the same moment our heart almost fainted at the recollection of the many painful contrasts to the picture before us, now exhibited in the history of other churches, which, instead of prosperous circumstances, show little else than Zion's desolations. The church at Lower Dublin has enjoyed the ministerial services of a succession of faithful and eminent men. The following remarkable incident is related of Elias Keach, the first pastor. He was a son of the famous Benjamin Keach, of London, and came a wild youth to America in the year 1686. On his landing, he assumed the costume of a minister of the Gospel, and began to preach: Hav-

ing called together a multitude of people, he was proceeding with his discourse, when he suddenly stopped short, and looked like a man astonished. The audience concluded that he had been seized with a sudden disorder, but on asking him what the matter was, received from him a confession of the imposture, with tears in his eyes and much trembling. Great was his distress, though it ended happily, for from this time he dated his conversion. His successor John Watts was 12 years pastor. Evan Morgan came next, and was two years in office. Samuel Jones, after that period, had charge about 16 years. To these succeeded Joseph Wood, Abel Morgan, Jenkin Jones, Peter Peterson Vanhorn, and Samuel Jones, D. D. The last named pastor was an officer about half a century. Under him, though a man of intelligence and respectability, but few accessions were made to the church. The soul-stirring operations of Sabbath Schools, Bible Societies, and missionary enterprise, had not begun to bless the age.

As an evidence of the dormancy of this body, under the late Dr. Jones, we mention the following fact. A lady, brought up by pious parents, members of this church, and in the habit of attending most of its meetings, has no recollection of ever having seen the ordinance of baptism performed, until she was fifteen years of age. Did the church and its venerable pastor, during that long interval, think that the Lord might be left to do his own work, or they actively engaged in *spending, and in being spent* for his declarative glory?

The present indications in this religious community are happy and encouraging. The spirit of missions, of Sabbath schools, of prayer, and of activity in all the important departments of Christian duty, is now in course of pleasing exemplification among them. The present pastor, David Jones, is a brother whose heart is with the Lord and with his people. To a judicious and faithful ministry, he adds the affection, the kindness and vigilance of pastoral fidelity.—*Col. Star.*

#### BAPTISTS IN PENNSYLVANIA.

Our state has been distinguished in the history of the Baptists for containing the oldest association in the Union, viz. The Philadelphia Association, organized in the year 1707. From this association in process of time, the word of the Lord sounded forth, and our fathers seem to have had a care that other states should enjoy the blessing of the gospel. But, alas, we may to a considerable extent, adopt the language of the spouse in the song as applicable to ourselves; "Mine own vineyard have I not kept." The states of Virginia and New-York, contiguous to our own, and like it extending over much territory, abound in Baptists. The first association in each of these states was formed out of the Philadelphia Association, namely, the Ketocton Association, in 1766, and the New York Association, in 1791.

*Address of General Association.*

#### BIOGRAPHICAL MEMOIR OF MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 199.)

The campaign of 1780 opened under prospects of many encouraging circumstances. The European Courts, from motives of policy, had generally evidenced a disposition to aid the United States, at least in humbling the pride, if not lessening the colossal power of England. Spain was at war with Britain; France had promised powerful aid to America, both by sea and land.—Russia and other powers had made arrangements to enter into an armed neutrality, in protection of their maritime rights against British usurpation. In addition to which, strong parties, both in England and Ireland, were formed in behalf of America. Notwithstanding those exterior and flattering circumstances, yet in the United States things had assumed, both in and out of the army, a most gloomy aspect. The Commander-in-chief, at an early

stage of the campaign, in a letter to a friend, animadverting on the state of affairs, said—"But, alas! our prospects, flattering as they were, have proved delusions, and I see nothing before us but accumulating distress; we have been half our time without provisions, and are likely to continue so; we have no magazines nor money to form them. We have lived upon expedients until we can live no longer. In a word, the history of the war is a history of false hopes and temporary devices, instead of system and economy. If it were necessary, it could be easily proved to any person of moderate understanding, that an annual army, or an army raised on the spur of the occasion, besides being unqualified for the end designed, is, in various ways which could be mentioned, ten times more expensive than a permanent body of men, under good organization and military discipline; which never was, nor never will be the case with new troops. A thousand arguments, resulting from experience and the nature of things, might also be adduced to prove that the army, if it is to depend on State supplies, must disband or starve."

The following letter from Gen. Greene, the Quarter-Master General, under date of 11th May, 1780, exhibits the effects of some part of the grievances stated by the Commander-in-chief—"I have little prospect, either of providing for the march of the Maryland troops to the Southward, or of putting this army in motion. Many stores contracted for on advantageous terms, and which I had hopes of possessing have since been sold at private sale, for want of money to fulfil our contracts. Many engaged in the manufactory of a variety of articles, seeing but little prospect of our being able to fulfil the conditions on our part, have declined going on. A great number of wagons, on which we depended for this army, have been sold, and others left unfinished. All our public horses which have been to winter and recruit, have been nigh unto starving, and many have actually perished, for want of proper supplies of forage. The stores which we have provided at Boston, Pennsylvania, and elsewhere, we find ourselves unable to get forward. Numberless embarrassments lie before me, such as state laws, vulgar prejudices, want of money and support, as well as heavy demands against the department." A part of the Quarter-Master General's letter is corroborated in one addressed by Gen. Wayne to the Commander-in-chief.

Philadelphia, 10th May, 1780.

Dear Sir—Many gentlemen in this place affect to be very sanguine about the defence of Charleston, and remain in the most unworthy torpidity, waiting the issue; others again are depressed or elevated, like the ebbs and flowings of the tide, upon every intelligence of a gloomy or pleasing complexion; but equal supineness pervades the whole; and whilst they are calling upon your Excellency for troops to send to the South, take no measures to supply their places, or even to furnish provisions or other necessities for those on their march.

I was in the lower counties of Delaware about eight days since, and found the second Maryland brigade at Newport destitute of provisions, except the fish which they caught for themselves, in nets loaned them by the inhabitants. When I arrived at Wilmington I found the artillery in the same situation, they had been for some days without a commissary, or any supplies, other than the scanty pittance which they collected from the inhabitants, who had employed a few fishermen to take herring for them—a conduct of this nature struck me so forcibly, that I made an immediate representation of it to the board of war, who have since put the troops in motion; but I believe without the least prospect of their being able to arrive in time to afford any succour to Charleston; which, should it fall, and I have too much ground to believe that it cannot hold out long, another detachment will probably be called for, and what service are we to expect from them, adequate to the certain loss in sickness, death, and desertion, which will inevitably take place in a climate to which our people are not inured.

Is there no mode of giving relief to the Southern States without the detaching of our army? Is there no opening to strike the enemy in the vicinity of New York; such an event would counterbalance the loss of Charleston; but your Excellency can alone determine whether your present force and other resources are adequate to, or would justify the measure.

You will have the goodness to pardon this intrusion, and believe me to be,

Your Excellency's most obdt. humble servt.  
ANTHONY WAYNE.

P. S. Should my attendance in camp be of the least use, I shall hold myself in readiness at the shortest notice.

To this letter his Excellency replied:

HEAD QUARTERS, MORRISTOWN, ?  
May 18th, 1780. }

Dear Sir—I yesterday received your obliging favor of the 10th inst. From the great importance of the subject, I confess I am infinitely anxious myself about the issue of the operations against Charleston, and wish most cordially that we had it more in our power to pursue means which could certainly relieve it. The unhappy state of our finances is opposed to this, and lays it under every embarrassment that can be conceived. If we could once get this in a more favorable train, our affairs would look up, and we might do a thousand things which are now utterly impracticable.

I thank you very much for your suggestions with respect to the mode of giving succour in that quarter, and shall always be happy in the freest communication of your sentiments.

The same had often been in my mind, and it would certainly be the most eligible way, if we were in circumstances to pursue it; but besides our distresses on the score of supplies, you will painfully recollect that this winter and spring have put a period to the service of no inconsiderable part of our force. I also thank you for your attention to the Maryland troops, and for your endeavours to assist them. A melancholy consideration, indeed, that we cannot move even a small detachment, however interesting the occasion, without the greatest difficulty and delay.

I shall be very glad to see you at camp again, and hope you will, without hesitation, resume your command in the Pennsylvania line. I know on a former occasion, you had some difficulties on this head, but when you consider the point, you will see the propriety of the measure.

When I have the pleasure of seeing you, I shall talk with you more fully on the subject.

I am, dear Sir, your most obedient,  
GEO. WASHINGTON.

General WAYNE.

Philadelphia, 1st June, 1780.

My dear General,—I was favoured with yours of the 18th ultimo, last evening, and will render myself in camp the latter end of next week.

We have nothing from Charleston, excepting that the investment was completed on the — April. All ranks of the people are anxiously waiting the event; may it be favourable, and may your Excellency put a glorious period to this contest, by the capture of New York, is the sincere wish of your Excellency's

Most obedient, and very humble serv't,  
ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

During the winter and spring of 1779, General Wayne and his officers corresponded in the most easy and friendly manner, and such was the case during the winter and spring of 1780; as a pledge has been given to withhold all other than military correspondence, it must not be forfeited, nor will it be, in the introduction of the following very brief correspondence between General Wayne and two distinguished Colonels of the Pennsyl-

vania line, Colonel Richard Butler and Colonel Francis Johnston; neither of whom has heretofore appeared as correspondents of General Wayne. Colonel Butler had served two campaigns under the immediate command of General Wayne, by whom he was greatly esteemed, both as a friend and gallant soldier.

Some very just compliments have been paid this officer in Rodgers' "Remembrances of departed Heroes, Sages, &c. of America;" a valuable work which every patriotic youth would pride himself, as an American in persuing.

Colonel Johnson was intelligent, sprightly, and brave, and one of the most amiable of men. A very concise sketch of his life may be seen in the "Remembrancer."

Philadelphia, 18th May, 1780.

My dear Colonel,—I purposely omitted writing to you, anxiously waiting for something pleasing to communicate; you will, therefore, pardon a seeming neglect, and take the following account, as we received it, this morning:—

A Captain White, arrived from St. Domingo, at an Eastern port, a few days since, who says that he parted company with M. Le Moote Piquet, in the latitude of Georgia, at the head of a French and Spanish fleet, of thirteen sail of the line; that he went on board the Admiral's ship to thank him for the protection he had received, and to take his commands for the United States. The Admiral replied that he had none but which he would carry himself, and that he would hear of him on the coasts by the time he, the Capt., made his port.

The conjecture, therefore, is, that Sir Harry Clinton will be blocked up in turn, and that probably the 28th of June may be made thrice glorious by the defeats of the General; first, at Sullivan's Island, in 1776, at Monmouth, in 1778, and on Charleston neck, in 1780.

M. Le Moote Piquet's being on the coast is corroborated by the following fact. On the junction of the late fleet from France, under the Count De Guichen, with that already in the West Indies, the supreme command devolved on the latter, when the difference of opinion, perhaps a political, caused Le Moote Piquet to produce private instructions from the Prime Minister, allowing him to take five sail of the line, and act separately and independently of the Count De Guichen, in any quarter where he thought he could render the most essential service. A division took place accordingly, and M. Le Moote Piquet, has not been heard of since that period until now.

What a scene is opening, what a fortunate event may take place; a few ships would effectually relieve Charleston, and while Sir Harry was blocked up there, should the French Admiral appear off New York, what may we not hope from the prowess of our arms, under the conduct of our illustrious General; the idea fires my soul,—“my heart leaps at the trumpet's voice, and burns for glory.” Apropos, I only wait his Excellency's orders to embrace my friends and fellow citizens at Camp, and to repeat viva voce, an old truth, that I am with great sincerity

Your most obedient, and very  
Affectionate humble serv't.

ANTHONY WAYNE.

Colonel F. Johnston.

Present my best wishes to all our brother officers. Tell General Irvine I will write by Colonel Butler, who will leave this place in two or three days.

Camp, May 25, 1780.

My dear General,—I thank you for your friendly letter, and now reply. Pray what shall be the theme?

Shall I excite your generous sensibility, by a recapitulation of our unhappy situation? Shall I endeavour to paint the manifold sufferings of the soldiery, the distresses of our illustrious General, and the complicated misfortunes attending our country, in consequence of the state of our finances.

Or, shall I rather, like an honest brother officer, and sincere friend to my country, cast a veil on our wretched situation, and encourage your perseverance by arguments founded on a future hope of a more glorious prospect? This, I am persuaded, will best please you; I shall not, therefore, trouble you with complaining:—

Dear Sir,—We have still victory within our grasp, at least we may obtain an honorable exit, which, my dear General, I wish with the sincerity of a friend, you and I may experience by each other's side, rather than survive the liberties of our country. Many, too many, ashamed at approaching poverty, and fearful that our situation in the army cannot be changed for a better, are quitting the service. Our line, thank Heaven, are steadfast yet, and I believe determined to rise superior to the capricious frowns of fortune, or gloriously fall together like a band of brothers. Depend upon it, this resolution pervades the whole line, and if we can only prevent desertion, I am so sanguine as to believe that our country will yet reap signal advantages from our services; however, time and opportunity will probably evince this.—But, my dear General, those generous sentiments must be kept alive by the aid of our country; if our resources fail, our men desert, and the same degree of ungenerous, impolitic, and d—ble economy is persisted in which has heretofore been practised, I fear *Amor Patriæ* will at length expire, even in the army. As its friend, then, and your country's friend, for God's sake urge our state to recruit men; urge them punctually to supply them, and, if possible, fix an idea on the mind of every man, that the way to procure an honorable and an advantageous peace is to be well prepared for war.

It is the wish of every one that you were here, but of none so much as your old friend, who longs to take you by the hand.

I am, dear General, with sincerity, yours,  
FRANCIS JOHNSTON.

General WAYNE.

Camp, 5th June, 1780.

Dear General,—I waited on his Excellency, who received me with his usual friendship, as did the rest of his worthy family. I had some interesting conversation with that noble and good-hearted soul, Harrison, who, you may depend upon it, is your sincere friend. I told him that you would have been here ere this, were it not for injuring the feelings of some good officers, who have commanded your brigade, whilst you were in command of the Pennsylvania line, and subsequently in that of the corps of Light Infantry, and that your resuming it would necessarily supersede them. His reply was pointed and well intended. He said that himself and all your friends regretted your absence, inasmuch as it gave an opening for uneasy beings to find fault, and argue that, when an officer once enjoyed a separate and distinguished command as that of your late corps of Infantry, he afterwards thought himself freed from other duty. Futile as this assertion may be in itself, and totally inapplicable as respects you, yet it may possibly have weight with some. I find that there has not been any direct application for the command of the Infantry, although I am pretty certain it is wished for. General Irvine, our valuable friend, tells me that a large Infantry is to be turned out; this he says he had from the Baron Steuben, but I really fear that the army cannot afford it. I mentioned at Head Quarters that you would be here very soon, and that you would take any command that would be serviceable, even fascine or road cutting. In short, my friend, myself and the officers of the line all wish you here.

Much news dealing out for nothing. Charleston is taken one hour and not the next. I am told by good authority that the states are called on, in the most pointed terms, to fill their regiments by drafts or some other mode, and that no regiment will be reduced. I can get no other news worth your notice, and subscribe myself your very affectionate friend and humble servant,

RICHARD BUTLER.

General WAYNE.  
VOL. IV.

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## LAW CASES.

At a Mayor's Court for the City of Philadelphia, Sept. 28, 1829. Present, the Mayor, Recorder and Aldermen Inskeep, Watson, and Duane.

COMMONWEALTH vs. BAKER.

This was one of five indictments depending on the same question—for vending spirituous liquors without a licence. The following facts were proved or admitted.

Mr. Inslee, Lessee and Manager of the Walnut street Theatre, in January last, obtained a licence for that establishment in the usual form of a Tavern licence to continue for one year. For a stipulated price payable weekly, he sold to the Defendant and others the absolute right to the profits of the several bars erected in various parts of the building. In the month of June last, Mr. Inslee ceased to be manager of the theatre and that office became vested in Messrs. Greene and Chapman. The sale of liquor by the Defendant, by less measures than the quart, was admitted, and evidence was given of a custom in all the theatres of this city for many years back, for the manager to take out a licence in his own name and rent out the bars as in this instance.

Mr. Rush for the Commonwealth contended—1. That the licence of Mr. Inslee did not authorise him to make an absolute disposition of the bars—and that therefore the defendant could not justify under that licence. II. That the licence ceased to be operative at the resignation of the management by Mr. Inslee, and that all sales by the defendant, since that time, were unlawful.

Mr. Swift, for Defendant contended—that the custom of the Theatres in the City must be considered as a construction of the law long acquiesced in, and not now to be set aside—and that the licence to Mr. Inslee was still in force.

THE RECORDER—charged the Jury.

In granting Tavern Licences the Court regard two considerations namely—the character of the applicant, and the fitness of the house and neighborhood, in which the privilege is to be exercised. Hence, it has been decided uniformly, that a tavernkeeper, can neither transfer his licence to some other occupant of the same building—nor carry with him his Licence to any other house. An application of this principle to the case before the Court, will decide both cases against the defendant. There is no doubt but an Inkeeper may erect as many bars, or sell liquor in as many parts of his own building, as he pleases but the sale must be by himself or his immediate servants—for his own profit, and on his own responsibility. But the moment he grants to another the absolute right to sell in one portion of his house he erects a distinct Tavern, he assigns his licence—unless therefore the Jury can believe that the Defendant sold as the servant of Inslee—they must convict him on this indictment. Evidence of custom will not excuse: The custom of offenders can never make law.

Again—The Licence to Mr. Inslee—is in the usual form of a tavern Licence "*for the house in which he now dwells*." As no man dwells actually in a theatre, that term must be regarded as applying to the species of occupancy of which a theatre is capable, namely the occupancy of a manager. Upon the same principle therefore that when the licenced keeper of a common Tavern removes from it, his Licence ceases—the licence to Mr. Inslee must be decided to have expired with his resignation of the management. No argument drawn from the peculiar nature of a theatrical building ought to have weight. Such buildings are licenced under the general law, in relation to Taverns—and if a due application of that law produces inconvenience it is not for this Court or Jury to provide a remedy.

Alderman Duane, delivered at length, his views of the laws in opposition to the opinion of the other members of the Court as expressed by this Recorder.

The Mayor, expressed his hearty concurrence with the Recorder, and stated the principles upon which he had charged a Jury in a similar case at the last term.



The Jury without retiring from the Box delivered a verdict of "*Guilty*,"—*Dem. Press*.

At a Mayor's Court for the city of Philadelphia, Sept. 23<sup>rd</sup> 1829. Present, the Mayor, Recorder, and Aldermen Inskeep, Pettit and Watson.

The Recorder, after announcing the sentence of the Court on Conrad Weitzel, convicted of keeping a tippling house, made the following observations (in substance.)

The Court take this opportunity to make one or two remarks to which they invite particular attention. The act of assembly in relation to tippling houses, authorises the imposition of a fine not exceeding \$50 for the first offence, and not exceeding \$100 for the second or any subsequent offence—and it further directs that in case of inability to pay the fine, the offender to be imprisoned one month. Under a clause of this act, which refers the amount of the penalty, to the discretion of the Court, appeals to their mercy have become extremely frequent, and have in many instances, succeeded so far, as to render the penalty scarcely more than nominal. A natural reluctance to produce distress by exacting a large fine, and a hope that the costs of prosecution might deter the party from a repetition of the offence, have induced the court to listen to such appeals.

It is obvious however, from actual experience, that this line of policy is not calculated to remedy the evil which the law has pointed out, and the suppression of which is infinitely important to the community. After a mature reflection, we have adopted as a principle for our government in future, that in offences of this sort, no degrees of guilt should be recognised.

We conceive that the individual who prepares himself to vend liquors without a license, does all in his power to violate the law, and that the extent of the injury he may inflict on society, depends, from that moment, not on himself, but upon the number of customers whom accident may bring to his door. Nor can such an offender plead sudden temptation, heat of passion—or any of those excuses which courts are bound to regard when adjusting the measure of their inflictions. The act complained of is in its nature a deliberate one—the result of calm preparation, in full view of the consequences, for no man in the community is ignorant of the law on this subject.

It is unjust, moreover, to those who regularly obtain their licenses, to permit offenders against the law to escape with a light measure of punishment. A very simple calculation of the chances of detection, in the first instance of conviction before a jury and finally of an appeal to the mercy of the Court, will show that unless the penalty be regularly and uniformly enforced, it may be cheaper to go on in habitual violation of the law, with occasional attendance in this court, than to pay the regular expenses of obtaining a license.

For these reasons, with a view so far as it depends upon us, to break up the business of selling liquor without a license—we are determined, in all future cases, to exact, the whole penalty affixed by law, either in the shape of fine or imprisonment as the circumstances of the offender may indicate, & it will be in vain to present to our notice any circumstances of palliation, unless they be of a most extraordinary kind.

Again—it is not uncommon for those who have been indicted under this act to apply for a license at the same term of the Court, we take this occasion to say, that under such circumstances we will not consent to the granting of a license.

These observations express the sentiments of all the magistrates now on the bench, and of all those now absent, with whom we have compared opinions. With two or three no opportunity of conversing on this subject has occurred, and they are of course not committed by these remarks, though we have no reason to doubt their acquiescence.

## LARGE GRAPE AND THE FOX GRAPE.

In one particular, we think we need not hesitate to assert the superiority of York county, when the size of a product of this kind is the subject of boast. A German emigrant, in this county, several years ago transplanted a vine of common white Fox grape, from the forest to a spring-house, near his dwelling; by which process, and the slight attention paid to its culture, the fruit has been remarkably enlarged in size and also considerably improved in quality, though it still retains its strong peculiar odour. We last week obtained several specimens of the grape produced by this vine. Their average size and weight was fully double that of the grape in its wild state. One of the larger weighed 153 grains, another weighed 162, and a third 164—This latter measured 2  $\frac{1}{2}$  inches in circumference. These grapes were sold here at *four cents per quart*.

It is the opinion of several experienced vignerons with whom we have conversed, that, by transplanting, grafting, pruning, and suitable culture and attention, this much neglected and despised native variety may be so meliorated that the cultivation of it, on an extended scale, would prove profitable.

We may here properly mention a fact, which has just come to our knowledge. At the late "Wine Convention," a bottle of wine was exhibited, which was set aside by the judges, as they suspected it to be a foreign product. Such was its excellence and fine flavour that it compared advantageously with the most esteemed Madeira. Subsequently, when its history was inquired into, it was ascertained to be a part of a quantity of wine, made about four years ago, from the common American Fox Grape, by Mr. Jacob Eichelberger, of near Reisterstown, Md.—and that the sample exhibited was a pure and fair specimen of the product. We understand that a gentleman of this borough intends making experiments with this variety on a scale, and in a manner calculated to decide the question of its merits as a wine grape.

This year's vintage of wine and table grapes, with the exception of such kinds as are found not to thrive well in our soil and climate, will be abundant, if the fruit remain uninjured. Thus far appearances are certainly highly favourable and flattering. In looking at several of the vineyards, we in part realise the fancy-scene of the poet, where

"——— the tender clusters glow  
With purple ripeness, and invest each hill  
As with the blushes of an evening sky."

*York Recorder.*

## NATIVE GRAPE.

When in Boston a few weeks since, a number of our horticultural friends were desirous of knowing whether we had any *native fruits* with us which were truly valuable. Feeling anxious, if in my power, to aid their laudable exertions in *searching out* and *propagating* all the native fruits of real worth, I recollected a native grape which with us is considered well worthy extensive cultivation, of which I promised to give them some definite information. Since my return I have seen the owner of the original vine in our county (Mr. B. D. Buck of Weathersfield) who gave me the following notice of it.

The original vine was found on a small creek, in the interior of Pennsylvania; was discovered and cultivated by the Germans who inhabited that part of the country, and who valued it very highly. Mr. Buck has been in possession of his vine about ten years. He procured it from Albany, of the person who brought it from Pennsylvania. The fruit is purple, close set, cluster not very large, form nearer round than oval, pulp about the same as the Isabella, *never sheds its fruit*, and is in eating from eight to ten weeks, a constant and great bearer; it has been judged to have had upon it at a single time fifteen bushels. It has never been trimmed, and is now in very fine order, heavily laden with fruit. He calls it the "*Columbian*," we the "*Buck Grape*" I hope it will be

acknowledged worthy of one name by the Massachusetts Horticultural Society, after testing the sample which I shall endeavour to forward them when in season. If they have not now the same kind, I will forward to their hall a quantity of roots or slips, should it be their wish.

With sentiments of respect,  
I remain yours,  
E. W. BULL.

Hartford, Conn. July 6, 1829.

*New England Farmer*

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### EARLY SETTLEMENT OF THE SWEDES ON THE DELAWARE.

*Instructions for John Printz, Governor of New Sweden.*

Agreeably to which her majesty our very gracious Queen, wishes Sr. John Printz, Lieutenant of Cavalry, and now appointed Governor of New Sweden, to regulate himself during his voyage towards said country and when he shall have arrived there, &c.

*Stockholm, Aug. 15, 1642.*

##### I.

As some subjects of her majesty & the crown of Sweden have undertaken some time since to visit the coasts of the West Indies, and as already they have had the good fortune of conquering & purchasing a considerable portion of territory, & of there establishing commerce, especially with the design of extending the jurisdiction & sovereignty of her majesty & the crown of Sweden, & have called that country 'New Sweden,' her majesty, after having examined & judged that this voyage which they had projected and executed, was not only laudable and reasonable in itself, but also that it would attract more respect to her majesty and the crown of Sweden, and procure for them in time, really greater advantage and strength—her majesty therefore in order to favor this enterprise and to aid those who have participated in it, has furnished them, for the continuation of this important trade, and for securing and strengthening the establishments already commenced in New Sweden, and for the obtaining this laudable end, two vessels to make the voyage, the one named the *Stork*, the other the *Renown*, as also several other necessary resources, under the orders of a Governor, whom her majesty has provided with full, convenient, and sufficient power—has appointed to this station Lieutenant Colonel John Printz, and has judged proper to give to him the following instructions—

##### II.

The Governor of New Sweden must first and without delay, as the said vessels have already sailed for Gottenburg, depart hence and direct his course by land in such manner, that he may be able to arrive by the first opportunity. Being arrived at Gottenburg he must, in the best manner he is able, and especially agreeably to the special regulations which the company shall have been able to make, aid them in disposing and ordering every thing, and as far as regards him and those under his orders, to arrange things in such a manner, that he may be able to depart with the vessels and be at sea in the month of September next.

##### III.

But before or as soon as the vessels leave Gottenburg, it is necessary that the Governor with the Captains and the persons who usually form his council, should deliberate upon the nature of the wind and other circumstances, and decide whether to direct his course to the north of Scotland, or through the channel which separates France from England.

##### IV.

On the passage and during all the voyage, he must take care that the captains and crew discharge their duties at sea with fidelity and exactness, and in all occur-

rences of any importance and which merit reflection, he must ask the advice and assistance of the above persons who ordinarily form the council of vessels; and if there passes any thing worthy of remark, he must note it, by keeping a journal or exact protocol, and send us a copy of it by every opportunity.

##### V.

When (should it please God,) the Governor shall have arrived at New Sweden, he should take care, that the frontiers of the country of which our subjects have taken possession, extends, by virtue of the contract with the savage inhabitants as legitimate proprietaries, from the borders of the sea to Cape Henlopen, in returning south west towards Godyns bay and then towards the great South river as far as Minquas kill, where is constructed fort Christina and from thence again towards South river, and the whole to a place which the savages call Sankikan, which is at the same time the place where are the last limits of New Sweden. This district or this extent of country, may be in length about 30 German miles; but as to the width in the interior of the country it has been stipulated and decreed in the contracts that the subjects of her majesty and the members of the navigation company may take as much of the country as they wish.

##### VI.

Seeing that in the year preceding (1641), several English families to the number of about 60 persons established themselves and began to build houses and cultivate the earth in other places, viz: on the Eastern side of said South river, near a small river named Ferken's kill; the said subjects of her majesty and the members of the company, have with the intention of attracting to them, the English, bought from the savages who inhabited the country, all the said western part, from the mouth of the great river to Cape May and even to another small river, Narratisenks kill, the whole extending about 12 German miles, comprising therein even Ferken's kill, above mentioned. The Governor ought to maintain this contract of purchase inviolable, and with force, and thus to attract these English families under the authority and power of her majesty the crown of Sweden; since, according to report, they show themselves sufficiently disposed, but it may be imagined that they are willing to submit themselves as a free people, to a sovereign who can defend and protect them, believing themselves able to increase in a short time to the number of several hundreds. But although these may be reasons why the Governor seeks to subject the English to the jurisdiction of the crown of Sweden; yet as her majesty judges that it will be better and more advantageous for her, for the crown, and for those interested, to be able to disembarass themselves of it honestly, and for them to leave the country, her majesty leaves it to the discretion of Gov. Printz to endeavor to obtain this point, and for it to work under-hand as much as possible, with good manners and with success.

##### VII.

It is not now a subject of doubt, that the Dutch West India Company, endeavours and wishes to appropriate to itself, the portion of land where the English are established, and certainly also all the eastern part of the great South river; and so much the more as their fort or redoubt Nassau, which is now occupied by about 20 men, is not very far from the eastern side of this river. Since they make no pretensions to all the western part of the said South river, and consequently of all that of which our subjects are in possession—imagining that by their fort Nassau, they have acquired and reserved the possession of all the South river, and of all the country situated on both sides of said river: it is for this reason that they have protested against the subjects of her majesty for commencing to occupy and cultivate the earth, and as much as possible they have never been willing to permit and grant to our subjects to ascend the South river before their fort Nassau; consequently, the Governor will comport himself as is agreeable towards the



members of the Dutch West India company, and represent to them with mildness and moderation, that her majesty and her subjects have only had in this matter a reasonable and just intention; that is, that they only sought and that they now only seek to open a free communication for commerce, that the subjects of her majesty had bought in due form from the legitimate proprietors of the soil, that which they possessed; and had commenced cultivating it, and that thus they could not, without the greatest injustice, act against her majesty and her subjects, nor trouble them in their possessions. If the said Dutch Company, contrary to all hope, show any hostile intentions, nothing would be more proper than to be upon guard, and to think of the means of repelling force by force as far as possible, as circumstances will permit. As we cannot here judge of such things as upon the spot, her majesty leaves to the discretion of the Governor, to seek first to remove these disagreements by mildness and representation; but if that does not succeed, to act with vigor so as to cause her majesty to be respected and those interested, and to procure their advantage. But if these unfortunate events do not happen, as we hope, and the subjects of her majesty are not troubled in their lawful possessions, the Governor must then maintain amity and good neighborhood with the said Dutch of Fort Nassau and with those who are established higher up the North river at Manhattan or New Amsterdam; and in like manner with the English who inhabit Virginia, and not to interfere with that which they actually possess—especially because the English of the frontiers of Virginia have already commenced to procure for the subjects of her majesty in New Sweden, all sorts of necessary provisions, and have even offered to cause these to come at a reasonable price—to supply our demand, whether of cattle or of grain; the Governor therefore must seek to continue this correspondence commenced with the English—leave to commerce a free and uncontrolled course, and manage the interests and advantage of her majesty and subjects.

## VIII.

As to those of the Dutch nation who have gone to New Sweden and are there established, and under the protection of her majesty and the crown of Sweden, and who have for commandant Jost de Bogard, the Governor must after the contents of the grant and privilege which her majesty has given to their principal, evidence all good will and good fellowship to them and their governor; but at the same time, must see to it, that on their part they fulfil the conditions stipulated in the privilege which has been granted to them, and also obey the order which has been signified to them this year; that being established too near to fort Christina, (as report says they are distant from it only 3 miles,) they must abandon said place and occupy one more distant from the Fort—however, her majesty leaves to the good pleasure of the Governor and his local knowledge to decide, if after notice taken of the conduct of these Dutch and of the situation of the place which they occupy, he ought to leave them quietly there, or make in this respect the disposition and arrangement which he may find most useful and most advantageous to her majesty and to the members of the Navigation Company.

## IX.

The Governor will treat with much humanity & mildness the nations bordering upon all the other side, and will see that neither violence nor injustice is done them by the people of her majesty, nor by those of the aforesaid subjects; but on the contrary, he must labor on all occasions, that these savage people be instructed in the Christian religion and the divine service, or civilized, well regulated, happy, and as such to be free; he must particularly dispose them to it and endeavor to bring them to believe that he (the Governor) and all the people under his orders are not come into the country to do them any evil or injustice, but rather to procure for them that of which they have need in

order to live reciprocally in common and to sell and exchange provisions against other things which they have and from which they know not how to derive any profit. The governor must therefore take care, that the people of her majesty and those of the company who trade with the savages, furnish them with the things they require, at lower prices, than those they receive from the Dutch of Fort Nassau, or from the English, their neighbors: so that they may by this means, disengage them from these people, and accustom them more to our subjects.

## X.

As to the place of residence of the Governor, her majesty leaves it to his disposal to choose it, according as he may judge that affairs may there be continued, and that his residence may there be established in the most convenient manner. The Governor will choose a place suitable for building a fortress, either at Cape Henlopen, or at that named "James' Island," or in any other favorable position which may present itself; and before any other consideration, he must particularly pay attention, that by such a fortress, the South river may be shut, if it is possible, or commanded by said fortress; likewise, if it can be found without too much trouble, there to trace a convenient port where the vessels of her majesty and of her subjects may be in safety, and even pass the winter there, if necessity require it.

## XI.

If the Governor does not think it necessary to make so great haste in fortifying a new place, and that he can protect himself with fort Christina, he ought so much more seriously to hasten agriculture, to engage the people to give themselves to it with zeal, applying themselves especially to sowing enough grain, so that the people under his orders may derive from it what is necessary for their support.

## XII.

Afterwards he must turn his attention to the culture of Tobacco, and allot to it a certain number of laborers, so that the culture of it may increase more and more, that all the vessels which go to that country may bring back a great quantity of it.

## XIII.

In order that the flocks of sheep and cattle may be better treated and more conveniently divided, the governor must principally take care to procure a good race of all the species; and besides those which shall be sent from hence, he will cause to be bought from his neighbors the English, those of which he shall have most need—he will afterwards divide them among those who pursue agriculture under such conditions and in the manner which he shall find most favorable to those interested with him.

## XIV.

Among other things & before all he must direct his attention to the sheep, in order to have a good species, and afterwards seek to establish as many sheepfolds as he can, so that in future, a considerable portion of good wool may be sent here.

## XV.

He must also endeavor to support in good condition, as much as possible, the trade in peltries with the Indians, to have an inspection, and in order to prevent all fraud, to establish commissaries, and so provide, that her majesty, her subjects and those interested in the company, may expect good returns for their cargoes—finally, he must take good care, that no person whosever be permitted to trade in peltries with the Indians; but that this trade be done in the name and on the account of the company by the agents appointed for this purpose.

## XVI.

As to the advantages which the country may procure in future, time and opportunity will bring to the knowledge of the Governor upon the spot, particularly as New Sweden has the same climate as Portugal, it is supposed, that upon the sea coast manufactures of salt may be established; but in case the heat of the sun is not sufficient to procure a perfect salt, they may however regulate by it the smallest quantity of salt water which may be con-

gulated by the fire without much trouble or much expense. The governor must moreover pay attention to it, and make the trial, and if it is possible, set to work and execute it.

## XVII.

And as almost every where in New-Sweden they find vines and grapes wild, and as the climate appears suitable to the culture of the vine, the Governor must pay attention to it, and he will be able in a little time to practice this culture and all that depends upon it.

## XVIII.

He must also cause all places to be examined in order to know if there are to be found there any metals or minerals, and if he perceives that there are any to send here a particular account of them and to wait from hence for ulterior orders.

## XIX.

As to the superfluous wood, the Governor must reflect and examine how and in what manner we may derive profit from it to the advantage of the country; and especially what use we may expect from the oak and nut trees; as it may be possible to send a good quantity as ballast; we must also try if the nuts by pressure may not furnish oil.

## XX.

The Governor must give attention, how and in what place fisheries may be established in order to derive advantage from them and upon the above, gain every information, especially as according to report they may, with profit, at certain times in the year establish the whale fisheries in Godny's Bay and its neighborhood—he must have his eye upon this object and send here an exact account of what he shall obtain in respect to it as well as with respect to other things of the country and announce what hope we may have in future.

## XXI.

The Governor must also carefully inform himself if there is in the country sufficient nourishment and convenience for their raising a large quantity of silk worms and of pursuing the culture of silk and if he observes and finds, that any advantage may be derived from it—he must consider how he may make a good establishment.

## XXII.

As to what relates to a good cultivation of the country and which we cannot so exactly detail here, her majesty desires to refer it to the fidelity, prudence and zeal of the Governor recommending to him seriously and principally to seek in all the service of her majesty and of the crown of Sweden and to maintain her sovereignty, as also the advantage and profit of those interested in the preservation of New Sweden, every species of culture possible a good traffic in the productions of the country.

## XXIII.

But above all that, what ever regards the police, government and justice must be done in the name of her majesty and of the crown of Sweden, since the country enjoys the protection of her majesty and of the crown and as the crown has the greatest interest in the preservation and cultivation of the said country and in the commerce which results from it—it is not possible to give here, at so great a distance, perfect and detailed instructions on government but we must leave to the discretion and intelligence of the Governor to make after the knowledge he may have of the country, such arrangement and regulations as he may judge the times and the necessities of the country require. At first and until affairs shall be better established the Governor may make use of his own seal, but with great form, in all the contracts, correspondence and other acts which he shall dispatch.

## XXIV.

He will decide all controversies according to the laws the laws, customs and usages of Sweden and in all other things he will adopt and follow all the laudable manners, customs and usages of the kingdom of Sweden.

## XXV.

He will have power to bring to obedience and order, by necessary and convenient means the mutinous and refractory persons who will not live in peace; and he may punish great offenders, if he finds any, not only by imprisonment other proportionate punishments but even with death according to the crime and if he can seize the criminal, but not otherwise than according to the ordinances and legal forms and after having sufficiently considered and examined the affair with the most noted persons such as the most prudent assessors of justice that he can find and consult in the country.

## XXVI.

Before all the Governor must labor and watch that he renders in all things to ALMIGHTY GOD, the true worship which is his due, the Glory, the praise and the homage which belong to him, and take good measures that the divine service is performed according to the true confession of Augsburg, the council of Upsal and the ceremonies of the Swedish church, having care that all men and especially the youth be well instructed in all the parts of Christianity, and that a good ecclesiastical discipline be observed and maintained. With respect to the Dutch colony which resides and is established in the country of her majesty and of the crown, the Governor must not disturb what has been ordained in the aforesaid grant of her majesty with regard to the exercise of the reformed religion.

## XXVII.

As to what cannot be here written the Governor must comport himself as becomes a faithful patriot and observe with the greatest care, the best intelligence and with great zeal all that concerns his charge; regulating himself by what may have been communicated viva voce and as to what has been granted him for servants, attendants and suite, it has been communicated to him in a special note.

## XXVIII.

Finally her majesty grants that the term of the Governor be for three years, and that after this term shall be expired it shall be permitted to the said John Printz to return here, after the necessary arrangements shall have been made for giving to him a successor or viceroy in his place; if the said John Printz after that desires to be continued in the same charge, he may be again appointed Governor according as the advantage and service of her majesty, of the crown and of those interested require. Given at Stockholm day and above written.

PETER BRAHE,  
HERMAN WRANGEL,  
CHARLES FLEMING,  
OXEL OXENSTIERNA,  
GABRIEL BENGSSON,  
OXENSTIERNA,  
ANDW. GYLDEKLAU.  
(To be continued.)

## RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 205.*

January 17, 1749-50. The Governor informed the council that 3 several letters of an extraordinary nature in French, signed "Celeron" were delivered to him by the Indian Traders who came from Allegheny informing him that this captain Celeron was a French officer and had the command of 300 French and some Indians sent this summer to Ohio and the Wabash from Canada to remove the Indians there for their friendship to the English and for suffering the English to trade with them. The Governor sent one of the letters to the proprietaries, in London and another to the Governor of New York that the same might be laid before the ministry.—Translation—

*"From our Camp on Belle River at an ancient village of the Chouanons 6th August 1749.*

Sir, Having been sent with a detachment into these quarters by Monsr the Marquis de la Galissiniere, commandant general of new France, to reconcile among themselves certain savage nations, who are ever at variance on account of the war just terminated, I have been much surprised to find some traders of your government in a country to which England never had any pretensions. It even appears that the same opinion is entertained in New England, since in many of the villages I have passed through, the English who were trading there have mostly taken flight. Those whom I have first fallen in with and by whom I write to you I have treated with all the mildness possible, although I would have been justified in treating them as interlopers and men without design, their enterprize being contrary to the preliminaries of peace signed five months ago. I hope Sir, you will carefully prohibit for the future this trade which is contrary to treaties; and give notice to your traders that they will expose themselves to great risks in returning to these countries and that they must impute only to themselves the misfortunes they may meet with. I know that our commandant General would be very sorry to have recourse to violence, but he has orders not to permit foreign traders in his Government. I have the honor to be with great respect,

Sir, your humble and obedient servant,  
CELERON."

May 25, 1750. Letter which the Governor received from the Governor of New York, inclosing one from Col. Johnson to that government—setting forth the apprehensions the Indians of the Six Nations were under, as well on their own account as of their friends and allies settled at Ohio, from the threats of the French in Canada, who say they are actually preparing to attack them this summer with a great force of Frenchmen and Indians in their dependance, desiring to know what assistance they may rely upon from the Governor of New York in case it should so happen.

Tuesday, July 31. Report of Richard Peters as to turning off persons settled in the unpurchased parts of Pennsylvania.

Aug. 8. Governor's message to Assembly—"The accounts from Ohio mention that the French still continue their threats against the Indians, who carry on commerce with our traders, that they are frequently alarmed as if the French were approaching in a military manner, and therefore keep themselves upon their guard. But as nothing hostile has been hitherto attempted, I am in hopes this may blow over, and the French from the caution and unanimity of the Indians in our alliance be obliged to alter their measures."

Aug. 16. Proclamation by Governor, for all persons, proprietors or occupants of any mill or engine for slitting and rolling of iron, and every plating forge to work with a tilt hammer, and every furnace for making stills erected in the Colony agreeably to an act of Parliament, 23d George II. to prevent their erection.

Sept. 25. Message of Governor to assembly asking supplies "to enable him without delay to secure the fidelity of the Indian nations in alliance with the said colonies and to remove the jealousies artfully infused into their minds by the French of Canada.

Oct. 3. Letter from C. Weisser, states that he had lately returned from his journey from Onondago to that place—"our friend Canassatego was dead, and Solomomaghly our other good friend died some time before. He that is at the head of affairs now is a professed Roman Catholic, and altogether devoted to the French. The French priests have made 100 converts of the Onondagoes, that is to say, men, women and children, and they are all clothed and walk in the finest clothes, dressed with silver and gold, and believes that the English interest among the six nations can be of no consideration any more. The Indians speak with contempt of the New Yorkers and Albany people, and much the

same of the rest of the English Colonies"—with his journal.

October 11, 1750. Gov. Clinton to Governor M. Fort George, Oct. 8—"Though the English Colonies be beyond comparison superior to the French in N. America both in number and money, yet as the assemblies of the several colonies do not act in concert, but pursue different interests, the French may succeed in their designs to our prejudice, by their being directed by one council and pursuing steadily one voice. This I think deserves the serious attention of the governors of the colonies on the main, and I shall gladly join with you and them in any method which may prove effectual for uniting the colonies in pursuing their general interest—but I doubt whether this can be effected without an immediate application to his majesty for that purpose."

Letter from Col. Wm. Johnson to Gov. Clinton (inclosed in the above,) Sept. 25, New York—"The bearers hereof are two Englishmen belonging to the Pennsylvania government, and as they were trading among the Indians of Ohio river last summer as usual were taken prisoners by Indians sent by the commanding officer of Detroit and detained by him ever since the beginning of last June. It plainly appears the said Governor sent the Indians to take or destroy what Englishmen they could meet, as the Indians told these young men so and shewed the ammunition, tobacco, &c. which the said governor gave them for their journey, and when they brought the said prisoners he was very thankful and rewarded them well. They made their escape. They say the French are making preparations against the spring to destroy some nations of Indians, steadfast in our interests. Jean Cour is now gone among the Ohio Indians to spirit them up against the English. Their depositions are to the same purpose."

(To be continued)

#### PITTSBURGH.

Pittsburgh, which was in 1786 a frontier village, upon the outermost limits of civilized population, containing at the most, but one hundred houses, is now a thriving and prosperous city, containing more than two thousand houses, and an active, industrious and enterprising population of more than seventeen thousand souls, surrounded by half a dozen growing villages or suburbs, with an aggregate number of seven or eight thousand persons.

In the summer of 1785, our late much respected fellow citizen, John Scull, commenced the publication of the Pittsburgh Gazette, and in all that vast scope of country which extends from the Allegheny mountains to the Mississippi, he had no competitor. Now, more than three hundred newspapers are published in the same space of country, each of them enjoying a patronage, at least equal to that afforded to this paper forty years ago.

Persons who have now scarce passed the prime of life, can well recollect the time, when all the bar iron brought to Pittsburgh was transported, at a heavy expense, on horseback.

Now Pittsburgh is called the Birmingham of America, and we have a Canal and Turnpike Roads by which thousands of tons of metal are annually brought to our foundries and rolling mills, to be converted into steam engines, bar-iron, boiler-iron, anchors for the Northern Lakes, and sugar mills and sugar kettles for Louisiana.

Many persons can recollect the bustle produced in our town, thirty or forty years ago, by the arrival of a pirogue, bringing some four or five tons of lead and furr, and on their departure taking away a few barrels of whiskey, flour or merchandize.

Now, some two or three hundred large and splendid steam-boats annually arrive, bringing with them thousands of tons of the tobacco, the hemp, the pork, the beef, the flour, the whiskey, &c. of Kentucky, Ohio, and Indiana, the lead and furs of Missouri, Illinois, and Arkansas; and the cotton and sugar of Tennessee, Alabama, and Louisiana, and in return take vast quantities of the

castings, the bar iron, the boiler iron, the nails, the farming utensils, the glass, the cotton goods, and various other articles manufactured in our city.

Fifty years ago, we could scarcely manufacture the axes necessary to cut down the lofty oaks which encumbered our hills and valleys; now, we manufacture steam engines of gigantic power, and accurate finish, to be applied to various uses on the North river, the Northern Lakes, the valley of the Mississippi, the sugar plantations of Louisiana, and in the mines of Mexico.

Forty years ago, our window-glass, our tumblers and decanters, were imported from Europe; now, our window-glass gives light to the citizens of Boston and of the state of Maine, and our splendid Flint Glass decorates the table of the President of these twenty-four States.

But our progress in improvement has been confined to the manufacturing and mechanic arts, literature and science, which must always follow at a respectful distance in the rear of advancing civilization, are also making among us a slow, but sure progress.

A boarding-school now occupies the field of Braddock's defeat, and innocent and artless females fearlessly stray over that ground, where Americans and Britons, Frenchmen and Indians, formerly mingled in mortal strife. Long after that event, within the recollection of many still living, a rude "block house," protected the settlers, on the very spot where in a neat academy, their descendants are now instructed in the classics.

To indulge the imagination still further; had the British officer, whose remains with his evidences of rank, were lately disinterred by a farmer's plough, at that moment awoke from his long sleep, his eyes would have first fallen with amazement upon the battlements of the neighboring Arsenal, and on the starry and striped banner of an unknown nation, that floated over him.—Had he retraced his once bloody trail to the fatal height, where the unfortunate Grant had invited a disastrous battle, he would observe a noble reservoir filled with the pure water of the Allegheny, and the foundation of a great Cathedral—the hill itself divided and the whole plan cut off and insulated by a canal—towards Fort Duquesne, the smoke of a thousand chimneys, where he had left the smoke of many rifles.—Beneath the round termination of the ridge to the South, the Caledonian might perceive a groupe of his hardy countrymen, not grappling with the French and Indians, but in the peaceful operation of rearing the Ionic columns of a magnificent University, over which an erudite Scotsman—a Bruce, now presides.—*Pittsburgh Gazette.*

#### SILK SOCIETY.

The Society for promoting the culture of the White Mulberry Tree and the rearing of Silk Worms, having engaged a person perfectly acquainted with the Art of reeling the Silk from the cocoons, and that of making sewing Silk, are ready to purchase cocoons, for which the highest possible prices will be given, according to quality.

Those who are desirous of learning these Arts, will be taught them for a moderate compensation. This measure is necessary, inasmuch as the Members constituting the Society are few in number, and its funds small. Persons willing to join it, are invited to leave their names with Mr. ISAAC MACAULEY, No. 24 South Third-street.

The Society was instituted with the view of keeping alive the spirit for the culture of Silk, which may become one of the grand Staples of the United States, and of introducing a new branch of industry among the Farmers, whose families can attend to it, as in Connecticut, without interfering with their usual occupations.

The Society deem it necessary to state, that without an increase of members, they will not be able to purchase cocoons next year.

Application for the Sale of Cocoons, and for learning the above Arts should be speedy, as the Reeler is engaged but for two months.

Mr. BERNARD DORRAN, is authorised to collect Subscribers.

On behalf, and by order of the Acting Committee.

F. DUSAR.

Philadelphia, Sept. 24, 1829.

#### SILK.

We beg leave to call the attention of our readers to the advertisement of the society for promoting the culture of silk. It is to be hoped that our country friends will avail themselves of the opportunity now afforded, to acquire the knowledge of the arts of reeling silk from cocoons, and of making sewing silk; and that our patriotic citizens will aid by their funds, so useful a society. The price of tuition is, we understand, \$10,—a trifle compared with the importance of the knowledge they will become possessed of. When attained, they may not only supply their families with the sewing silk required for their own use, but may readily and profitably dispose of the surplus to any store in their vicinity, as is done in some parts of Connecticut, where it is well known that silk is taken in barter for goods, as eagerly as if money were offered for them. In fact, silk is the circulating medium in the county of Windham, and adjacent counties. The farmers there consider the silk they produce as a clear gain, because the business of feeding the worms is chiefly done by aged persons, and by children, and the silk is prepared for market by the females when not employed in their usual indispensable domestic occupations. The rearing of cocoons for sale may also become an object worthy-attention if a convenient apparatus be employed to feed the worms: the want of this induces a much higher price to be set upon cocoons than their real value will warrant, for the trouble of attending the worms in the usual way, upon tables, is very great. The society intend shortly to exhibit a frame, containing a series of shelves, which will enable any one to attend many thousands of silk-worms, with very little trouble. On inquiry, we learn that the price given for cocoons of the first quality is 50 cents per pound; a price which could not be sustained by the quantity of silk they will yield. Directors of county poor-houses should employ their paupers in rearing worms: if they have not mulberry trees on the poor-house farm, they should be set out. Messrs. Terhoeven, 4 miles from Philadelphia, on the Point-no-Point road, have a very large stock of young trees for sale at low rates. The Southern states would also find it profitable to attend to the culture of silk, as they could in this way employ numerous hands, who are at present a heavy weight upon their owners. Nay, it might certainly supplant tobacco, and much of the upland cotton, neither of which articles now pay well; whereas silk would meet with a ready sale at home, either in the form of raw silk, for exportation; or sewing silk, for domestic use.

*Poulson's Amer. D. Adver.*

#### MODEL INFANT SCHOOL.

At a meeting of citizens held on Thursday afternoon, at the school room, No. 229 Arch st. ROBERT RALSTON, Esq. was called to the chair, and Joseph R. Chandler appointed Secretary.

The Rev. Mr. Carll stated the object of the meeting to the formation of a society for the purpose of establishing in this city a "Model Infant School," to prepare teachers for the many schools of that kind already in existence, and which, when suitable instructors shall be supplied, will undoubtedly rise up in every town and district in the union. After a statement of the very great benefits which had attended the labors of individuals and the public, in the good cause, at various places in the eastern states, and especially in Boston, it was

Resolved, to form a society for the promotion of Infant Schools generally, and especially for the establishment of a Model School, in which teachers may be qualified to instruct in the system of infant education, and

in the use of the apparatus so successfully employed in the many Infant schools in Massachusetts.

The Rev. Mr. Carll presented the following resolutions, which were unanimously adopted:

Resolved, that it is expedient a Model Infant School should be established.

Resolved, that the object of this Model School be two fold. 1. To perfect the system. 2. To afford facilities of gaining a knowledge of the mode of instruction.

Resolved, that persons either males or females (the number to be hereafter specified) be permitted to attend the School, with a view of acquiring the necessary qualifications for conducting similar institutions.

Resolved, that in order to secure the united efforts of the friends of Infant Schools, throughout our country, in support of a plan so truly useful, every town, village, society or individual, subscribing —dollars to have the privilege of sending one or more persons to the Model School— months.

Resolved, That the plan now proposed, has a reference in order that the benefits of these Schools may not be limited, economy is of vital importance; the instructors should therefore be taught to draw largely from the book of nature and from the common objects around, which are ever at hand.

Resolved, That a committee be appointed to draft a circular recommending the establishment of these Schools in every town and district throughout our state and country; and also an invitation to co-operate in the establishment of a Model School, which committee when appointed shall receive any communication relative to the interests of the Society.

The committee consists of Rev. M. M. Carll, J. R. Chandler, and Rev. R. M. Cushman.

Resolved, That a committee of four be appointed to draft a constitution for the Society, and take such measures to enlist the services and procure the contributions of individuals in its behalf, as they may think conducive to the benefits proposed in its formation, with powers to call a meeting when in their opinion the interests of the Society shall require. The Rev. Mr. Carll, J. R. Chandler, Rev. R. M. Cushman, and Mr. J. A. Stewart, were appointed on the committee.

ROBERT RALSTON, Chairman.

J. R. CHANDLER, Secretary.

#### PENNSYLVANIA CANAL.

Canal Office, Lewistown, }  
Sept. 22, 1829, 10 o'clock at night. }

*My dear old friend.*—Lewistown is at this moment in an uproar of rejoicing, by a brilliant illumination, and all the other usual accompaniments, on account of the water being this day let into the Canal—it has descended in feeder and canal about three miles, and is progressing on without any breach as yet. To-morrow several boat rides are projected.

In haste, yours, JAMES CLARK.  
Col. JACOB HOLGATE.

Lewistown (Penn.) September 24.

*The Canal.*—On Tuesday morning last the water was let into the first level of the Juniata Canal at this town. It passed from the feeder to the lock at the Gate-House in the Narrows, during the evening and night, the level is now full—and parties of ladies and gentlemen yesterday made excursions to and from the lock, on the canal.

The news of the letting in of the water was received with great demonstrations of joy. In the evening the town was generally illuminated—and every body who was not a member of the Temperance Society (and some few of them too) drank success to the canal. So far as the water has been let in, the canal appears to hold—but one leak has yet been discovered, and that so inconsiderable that it was repaired in a short time. The prospect is now flattering that we will have a canal navigation this fall.

We congratulate our fellow citizens on the auspicious commencement of the Juniata Canal. To see the canal

in full operation, and the wealth and produce of the west flowing through it, is no longer a chimera. The experiment of yesterday, fully demonstrates, that the canal so far as made, will hold water, and that the feeder from the river and the creek, will be sufficient to fill the different levels and pass any number of boats that will be on the canal.—*Juniata Gazette.*

Pottsville, September 26.

Last week, our city (in miniature) was enlivened by the cries through our streets of "Sea Bass," "Fine Fresh Sea Bass," which had such an effect upon the visages of our mountaineers, that it would have been a fit subject for the pencil of a Hogarth to imitate. Had any person been so presumptuous as to have asserted 7 years ago that so delicious a food as Fresh Sea Bass would adorn the tables among the hills of Schuylkill county, he would have been set down as a madman, and sent to a lunatic asylum.

*Coal.*—Another coal vein twenty-two feet thick, has been discovered on a tract of land, owned by Horning & Audenried, situated at the head of the Schuylkill Valley Rail Road.

*Schuylkill Valley Rail Road.*—This work is progressing rapidly—six miles will be completed in the course of next week.

*Mount Carbon Rail Road.*—Inquiries have been frequently made as to the time when this work will be commenced. We can only state that the President of the Company, and Mr. Robinson, engineer, made a hasty examination of the route shortly after the organization of the company. What they concluded on, we are unable to state—but, we know, that if the work is not commenced in a short time, we are afraid very little will be done towards its completion this season.

*Mill Creek Rail Road.*—The proprietors of this road are now busily engaged in having it covered with iron, which will be completed in the course of a week or ten days, when it will be in complete train for the hauling of coal in abundance to the landings at Port Carbon.

A lateral rail road, one mile and a quarter in length, has been lain by several individuals, which intersects the Mill Creek Rail Road about one mile above Port Carbon, and extends to that portion of coal land denominated the "*Ravensdale Tract*," which brings into use a large district of coal country.

The iron used in covering the Mill Creek Rail Road was imported from England, and delivered at this place, at a much cheaper rate than it could have been manufactured for in this part of the country.

Experiments have also been made on these different rail roads, which fully authorize us in asserting that one horse can draw a train of six cars, each containing one ton of coal, with perfect ease.

*Little Schuylkill Rail Road.*—It is with great pleasure that we notice the different avenues opening for the coal of our region to find its way to market; and among the number, this rail road may be considered as a valuable improvement—it will bring into use a large district of coal country, which, heretofore, has been of very little value to the holders thereof—and it will also contribute in supplying the market with this species of fuel, the consumption of which is yearly increasing in a much greater ratio than the means requisite for conveying a necessary supply to market.—*Miner's Journal.*

**DIED.**—On Monday, 28th inst. Mr. Francis Wrigley, Printer, in the 86th year of his age. Mr. Wrigley was one of the oldest printers in the United States, and printed for the old Congress while sitting in Philadelphia, and accompanied them from this city to Annapolis, where he printed the "Old Continental Money," which was at that time in circulation.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## PITTSBURG LAW CASE.

*Lessee of R. H. Howell,*  
vs.  
*Barclay, Florence & Colter.* } Circuit Court of U. States,  
for 3d Circuit,  
April Sessions, 1829.

This was an ejectment to recover a messuage, lot, piece or parcel of land, lying between Water street and the Monongahela river, in the city of Pittsburg.

The title of the lessor was regularly deduced from Alexander Wilson, to whom the late proprietaries (the acknowledged owners of the manor of Pittsburg, of which the city of Pittsburg and the ground in question, made a part), on the 26th of September, 1814, conveyed all the ground in the above city, lying between Water street and the Monongahela river.

It appeared in evidence that, on the 22d April, 1784, Mr. Francis, the agent and attorney in fact of the Penns, employed George Woods, a deputy surveyor, to lay off the town of Pittsburg. This duty he performed on the 31st of May, 1784, and returned to Mr. Francis a plan of the town, which he approved of and confirmed on the 30th September, in the same year. On the diagram representing the survey or plan of this town, was written by Mr. Woods, the words "Water street" on a space extending along the south front of the row of lots facing the Monongahela from Grant street to the junction of that river with the Allegheny river. This space was of different widths, from about 219 feet at Grant street to about 108 feet at West street, its breadth further west not being shewn; and it extended from the row of lots before mentioned, to the Monongahela river, embracing a space of table land from 70 to 80 feet wide in the broadest part, to a few feet in the narrowest, and also embracing a steep bank of the river, and the river beach, which in time of freshes was nearly or quite covered with water.

The town, now city, of Pittsburg, was incorporated as a borough by an act of Assembly, passed in the year 1804, with the usual powers and privileges, and by various ordinances of the corporation, commencing in the year 1816, that body exercised acts of ownership over this slip of land bounding on the river, by authorising the erection of wharfs, exacting tolls, from all persons landing goods on the beach, &c.

The plaintiff gave in evidence a written agreement between the agent of the Penns and Craig & Bayard, by which the former agreed to sell and convey a certain parcel of the ground, afterwards embraced in Wood's plan of the town, lying in a point formed by the junction of the rivers Allegheny and Monongahela, bounded on two sides by the said rivers, and on the third by the fosse of Fort Pitt. On the 31st December, 1784, a deed was executed by this agent to the said Craig & Bayard, for 32 lots, as marked and numbered in Wood's plan, bounded southerly by the Monongahela river; and on the 2d October, 1784, another deed was made to John Crmsby for two lots bounded by Front street on the north, and on the south by the Monongahela. A number of deeds from the Penns to different persons were given in evidence, bearing different dates, subsequent to the year 1784, for lots fronting the rivers Monongahela and Allegheny, the former bounding southerly on Water street, and the latter, on the river, no street having been marked between the lots fronting on that river and the river.

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Amongst other evidence offered by the defendant's counsel, was the deposition of Samuel Ewalt, for the purpose of proving various declarations of George Woods, at the time he was engaged in laying off the town of Pittsburg in relation to Water street. This was objected to, as hearsay evidence of parole declarations to explain, or to contradict a written instrument, by an agent acting under a limited authority to lay off the town, and nothing else. Cases cited—1 Sergeant & Rawle, 526; 4 do. 298; 4 Yeates, 100; 1 do. 284; 2 Smith's laws, 256, note; 3 Binney, 175; 3 Munford, Mayo vs. Murchy. On the other side were cited: 1 Peters, C. C. R. 205; 5 Wheaton, 336; 8 Johnson, 508; 16 Sergeant & Rawle, 596.

WASHINGTON, (J.) The evidence offered is altogether inadmissible. The authority of Woods was confined to the laying off this town, which of course included the acts of surveying and plotting the lots & streets, so as to exhibit a plan of the town. His work when completed, was binding upon no person until it received the confirmation of the owner of the ground, either expressly or to be presumed from his subsequent acts. Woods so understood his authority, for he returned the survey soon after it was made, to Mr. Francis, who by his letter to Woods in Sept. 1784, approved & confirmed the same. He might have rejected it altogether, had he chosen to do so, and directed another survey to be made upon a different plan. But having confirmed it, it afterwards became a muniment of title to which the purchasers of lots, and all persons connected with this town, including the grantors, had a right to look, as evidence of title and by which they were bound. To permit now the parole declarations of Woods to alter, or in any way to affect this delineation of the town, and this muniment of so many titles of which it is the evidence, would be to violate one of the best established rules of evidence, and to let in the most extensive mischief. It is one thing to prove *acts* tending to explain and to point out the true boundaries of a survey, and quite another, to give evidence of the *parole declarations* of the officer who made it, which might be misunderstood, and of which purchasers as well as vendors looking at the plan, and relying upon it, could have no notice. Woods was the agent of the Penns: but he had no authority to bind them, even by his *acts* until they were confirmed; how then could he bind them by his *declarations*, which forming no part of his report, accompanying the plan, could not be, and therefore were not, approved and confirmed?

The great question in the cause, was, whether Water street extended from the range of lots fronting on that street along the entire range of them from Grant street to the river Monongahela, or whether the width of the street was unascertained and was left to be afterwards laid out of a convenient width? Both sides referred to the case of Mayo vs. Murchy; 3 Munford, 358; and the defendant's counsel relied much upon M'Donald's case, 16 Sergeant & Rawle, 386; they also cited 1 Sand. 323, no. 6, to shew that the corporation, or the inhabitants of the town, were entitled to this slip of land as an easement. They also cited 1 Conn. Rep. 103; 3 Massa. Rep. 284, 6 do. 332; 15 Johns. 447; 2 Stark Evid. 655-6, 3 do. 1216-19; 7 Wheat. 109.

CHARGE. WASHINGTON, (J.) Whether the surveys of the plaintiffs or of the defendants in this contro-



versy, will most subserve the interests and the prosperity of the inhabitants of Pittsburgh, is a question which neither the court or the jury can very well answer.— This however is manifest to both, that it is not a question involved in that issue, which, and which alone you are sworn and affirmed to try and to decide. That issue is whether the plaintiff has shown to your satisfaction, such a right to the property in dispute, as ought to entitle him to recover the possession of it? Considerations such as have been pressed upon your attention by counsel can never tend to promote the ends of justice, and never will be regarded by a conscientious court or jury.

The case which you have now to pass upon is by no means a complicated one. There is, in truth, but one question upon which the controversy mainly turns, and whatever difficulty may attend the decision of it, is to be solved by the Jury, since it rests altogether upon the evidence which has been laid before them. The object of the court will be to clear away those matters which do not seem materially to affect the case, in order that that question may be the more distinctly perceived. To do this, the claims set up by the defendants to the property in dispute, will be first examined.

The defendants are merely officers of the corporation of Pittsburgh, and of course, assert no title in themselves to this property. But they set up a title in the corporation, and in case that cannot be maintained, still they insist that the plaintiff cannot recover in this action, upon the ground, that the *entire space* between the southern row of lots fronting the Monongahela and that river, was dedicated by the owners of this manor in the year 1784, to the public, as a street, or highway.

As to the title of the corporation, it is proper to premise, that this must, in all cases, be maintained by the same muniment of transfer as would be necessary in the case of an individual. In the year 1784, and down to the period of the conveyance to Alexander Wilson, this slip of land, if it was not wholly given to the public as a street, or so much of it as was not so given, was vested in the Penns, as the undisputed owners of it. It has not been shown in evidence, that a grant or transfer of it was at any time made by them to the corporation, or the town before it was incorporated, or to any person for the use of that body, or the inhabitants thereof. No right of possession in the corporation has been proved, or even asserted, arising from length of time.

But it is claimed as appurtenant, or incident to the right of the inhabitants and lots-owners, who cannot enjoy, it is contended, the property granted to them without the use of this slip of ground, whereby they may have free access to the river. Were this species of title to be admitted to exist in the *lot owners and inhabitants* of the city, it would nevertheless be difficult to discern, how this admission would maintain the claim of the *corporation* to hold and enjoy this property for their use and benefit in exclusion of the enjoyment thereof by the inhabitants. For if it belongs to the corporation, they may use it in any way most beneficial to the body corporate and most injurious to the individual corporators or inhabitants of the town. But I cannot understand how one piece of land can be incident to another piece of land; and if it could, still it has not appeared in evidence that the corporate body is entitled to a foot of land within the limits of the city, or to any other right but that of governing the city. If the claim in behalf of the inhabitants be merely of right of way, or reasonable access to the river, that presents quite a different subject of inquiry, which will be attended to, after I have stated for your information the rule of law which applies to the subject. That is, that where any thing is granted, the law implies a grant of those things, without which, the principal subject cannot be enjoyed, as incident thereto; as if a lease be made of land with all the mines therein, and there be no mine opened upon the land, the lessee has an incidental right to excavate the earth for the purpose of obtaining the mineral, without which the grant in respect to them would be of no value. So,

and for the same reason, if a grant be made of a close surrounded by the lands of the grantor, the grantee has a right to a way or passage over the lands of the grantor.

But this right is confined strictly to the necessity upon which it is founded, and cannot exceed its just demands. The grantee therefore cannot claim a right to as many roads as may suit his whim or convenience, nor can he exercise any privilege, but that of a right of way; if he go unnecessarily out of such way upon other parts of the grantor's land he is a trespasser. Now to apply these principles to the present case.

A street or streets, it is insisted, leading to the river Monongahela, are necessary to the enjoyment by the inhabitants of their property in the town, derived from the persons under whom the plaintiff claims. If this be so, they are entitled to have them laid off over the land in dispute; if it be private property (which is the great question in the cause) of right, and not of favor, and the law points out a mode by which this right may be enforced. But the right of soil, is not, as I conceive, thereby divested out of the owner of the other parts of the ground, which beyond all question remain in him, as it was before the street shall have been laid out. The only difference in this respect, between the city of Philadelphia and Pittsburgh is that Wm. Penn granted expressly to the former this privilege of streets leading from Front st. to the River, which the law would have implied as an incident and which may be implied in relation to the latter city. But the ground lying to the east of Front st. & between the streets running to the Delaware remained the undisputed property of the proprietary, and as such, was used, or granted away by him. If the ground in controversy then was not dedicated to the public as a street, it remained in the Penns, subject to the incidental right which has been spoken of; and the only right of the corporation would be to regulate and to preserve such streets as should be laid out running over it to the river.

This brings us to the great question in the cause; was the whole of the ground lying between the lots fronting on the Monongahela, and that river, dedicated by the Penns for a street, or only so much thereof as might be necessary for such an easement, and this leads to an examination of the plaintiff's title.

The only direct evidence of such dedication is the survey and plan of George Woods returned to and confirmed by the authorized agent of the Penns. The survey was made on the 31st of May 1784 and received the approbation of that agent on the 30th September in the same year. The deed to Alexander Wilson bears date the 26th December 1814, and it conveys to him all the land lying between the south line of Water street, and the low water mark of the Monongahela river from Grant st. to the confluence of the Allegheny and Monongahela rivers.

That a street running South of the line of lots on that river was granted by the name of Water street, is satisfactorily proved, not only by the plan referred to, but by the subsequent grants of those lots, all of which call for Water street as their South western boundary. The question which this plan gives rise to, is whether the whole of this slip of land to the river was dedicated to the public as a street or whether a street of undefined width, but such as convenience might require, was intended to be appropriated.

The defendant's counsel insist that the plan itself furnishes direct proof that the whole space was laid out and intended as a street, the South line of it being distinctly marked, running along the margin of the river. This is denied on the other side, who insist that the line referred to, merely marks the margin of the river, and not the line of a street and in confirmation of this assertion, they refer to the Allegheny river as it is laid down on the plan, where the same line is discoverable, and yet it is agreed by both sides, that no street was laid off or intended to be along that river, all the subsequent grants or lots facing it running across the vacant space border-

ing on the river, to the river. They further rely on the testimony of Vickroy who made the survey under the direction of Woods, who states that no line was, in fact, run on the river Monongahela south of the lots facing the same. It will be for you to say, whether the appearance of this line on the river in connection with the other lot lines was intended to indicate or does indicate the southern boundary of this street or not?

The other evidence in the cause relied upon to strengthen and confirm that which is termed direct is of a presumptive character. The defendants insist that this evidence establishes a long and uninterrupted use and enjoyment of this slip of ground by the inhabitants of Pittsburg, not short of 45 years. They rely further upon the long acquiescence in the enjoyment and in various acts of ownership exercised by the corporation in authorizing the construction of wharfs into the river, imposing tolls, and the like; upon the evidence of Mr. Coates the agent of the Penns, since the year 1800 who was authorized by them to sell and survey all their lands in this state, that he had no knowledge that this slip of land belonged to the Penns; and lastly that although all the lots in the plan of this town were sold by the agents of the Penns, yet the ground in dispute was never laid off into lots or offered for sale by those agents.

There is no doubt, in point of law, that the uninterrupted use by the public of a way over the ground of an individual for public convenience, for a length of time, affords a presumption of a grant of it by the owner for that purpose; and that a much shorter time will suffice to raise this presumption than would affect the title of an individual in ordinary cases.

But the presumption in these cases, as in all others, may be repelled by evidence tending to show an assertion of right by the owner, and a denial of the use assumed by the public. In answer to the acquiescence insisted upon by the plaintiffs, two grants have been given in evidence by the plaintiffs, both dated in the year 1784, the one from the Penns to Ormsby for two lots in October and the other to Craig and Bayard for 32 lots in December of that year, both of which call for the river Monongahela for their Southern boundaries. The defendants counsel endeavor to remove the weight of this evidence by insisting that although such are the calls of those grants, still as they refer in *express terms*, to the lots as numbered in *Wood's plan*, they were in reality bounded and were intended to be bounded by Water street, and not by the river. That the survey having been made, the plan completed and confirmed, and Water street marked on it, as dedicated to the public, the Penns had no right nor did they intend to exercise any to extend these grants beyond the north line of Water street.

Whatever weight the jury may give to these grants as evidence to refute the alleged acquiescence by the Penns, will be for them to decide; but the court cannot yield to the arguments of the defendant's counsel as to their legal effect. To do so, would in my apprehension be to subvert two of the best established rules for the construction of deeds. The one is, that they are always to be construed most strongly against the grantor where there is an ambiguity in their language; and the other is, that a meaning is to be given to every expression in them, if it can reasonably be done. Now the lots conveyed by these deeds are those marked on *Wood's plan*, but then they are to run to the river. If they are to be bounded by Water street, the intention, of the parties, as shown by the expression of the deeds, will be frustrated. By extending the two lines of those lots pointing to the river, to the river, a meaning is given to every expression in those deeds—and what is to prevent this extension? It is said, that by doing so, they must run across a public highway, or street which would split each lot into two lots. But this would by no means be the case. The land on both sides of the street (if you should say the street does not cover the whole of the ground) belonged to the Penns, and they had a right to grant each of these lots as *entire parcels* to the river, subject only to the

easement over it which they had previously granted to the public. These observations apply to the deed to Ormsby. But they apply with increased force to that to Craig and Bayard, who were equitably entitled to the ground granted to them in December 1784, in virtue of their written agreement with the Penns in the January preceding, by which, the latter were bound to convey the same to them, bounded on one side by the Allegheny river and on the other by the Monongahela. After that agreement, it was not competent to the Penns to encumber that ground with a road or in any other way; without the consent of Craig and Bayard. By accepting the conveyance without objection and with the knowledge that Water street had, in the mean time, been granted, (as may for the present be presumed) they consented to take the ground so encumbered; not by force of some new contract, of which not the slightest evidence has been given, save the grant itself, but as a fulfilment and execution of the old one.

As to the long use of this disputed piece of ground by the public, it will be for you to say, whether, in point of fact, such use has been proved. In point of law you must be satisfied, not merely that it was used by the inhabitants of Pittsburgh, or others; but that it was used, as a highway or street; and in weighing the evidence on this point, you will naturally inquire, whether, from the nature of the ground, it was capable of being so used.

As to acts of ownership, exercised by the corporation in the way which has been stated, it is manifest, that they are altogether inconsistent with the right asserted in behalf of the public, since, if the whole of this ground to low water mark on the river, was dedicated for a street, it was vested as much in the public subject to be regulated and improved by the corporation, and could not legally be treated or used as private property by that body. If upon the whole you shall decide that this ground was granted or dedicated as a street, the plaintiff cannot recover in this suit. If otherwise, and that the spot in dispute in this suit constituted no part of the street, it passed to Wilson under the deed to him, and consequently to the plaintiff who has deduced his title to the same regularly from him.

Verdict for plaintiff.

Binnéy, Baldwin and Sergeant for plaintiff. Charles Smith and Jos. K. Ingersoll for defendant.

*Lessee of Howell,*

vs.

*Barclay, et. al.*

Circuit Court of the U States,  
for 3d Circuit,  
April Sessions, 1829.

Rule to shew cause why a new trial should not be granted; 2d why judgment should not be arrested.

The following reasons were assigned for both rules—  
1. Because the verdict is uncertain and insufficient, in not ascertaining a *locus in quo*; that being left uncertain by the declaration also;

2. Because, by the declaration and verdict the whole question at issue between the parties is left uncertain, and the controversy remains undetermined;

3. Because there was no evidence to shew possession in the defendants in the land described in the declaration, if the description be at all applicable to any ground;

4. Because the declaration claims "one messuage, a lot, piece or parcel of land, lying between Water street and the river Monongahela, with the appurtenances, situate and being in the city of Pittsburg;" and the verdict is general, for the plaintiffs, without describing position, extent, boundaries or situation of the land claimed;

5. Because if the finding of the jury were intended to embrace part of the premises stated in the declaration, it should have designated particularly such part.

In support of these rules the following cases were relied upon: 1 L. Ray 191, 277; Cowp. rep. 346, 11, Co. rep. 55; Yelv. 118, 119; Poph. 197; 4 Mod. 97; 1 T. rep. 11; 1 East. 442; 5 Burr 2672; 2 Stra. 1063; 2 Johns. rep. 371; 3 do 481; 2 Bur. 668; 2 Dall. 156; 11 Wheat. 280; Tidd. appdx. 479.

On the other side were cited the following cases—6 Sergt. & R. 189; 9 Vin. tit. eject. K. Runn 470; 1 Bur.

133, 629-30; 1 Johns. cas. 101; 5 Johns. rep. 366; 4 Bin. 78; 3 Sergt. & R. 418; 4 do. 271; 7 do 101; Run 121; Adams on eject. 20; Cro. El. 458; Run. 438; Adams 328, 332.

WASHINGTON, (J) The third reason assigns the only ground in support of the 1st rule, and that is unsupported by the facts in the case. It was clearly proved that the defendants were in possession of a wharf, and other parcels of ground (as officers of the corporation of Pittsburgh,) lying between Water street and the Monongahela river, in the city of Pittsburgh, at the time this declaration in ejectment was served.

The only real question to be decided is, whether that declaration and verdict are so uncertain that judgment cannot with propriety be entered?

The ancient rule was, that the Sheriff was bound to deliver possession according to the writ of habere facias possessionem, which would of course confirm the Judgment: and so long as this rule prevailed there was much reason in requiring such certainty in the description of the land sued for in the declaration or verdict, as would enable the Sheriff safely to execute his writ without going out of it to obtain information of the particular parcel which had been recovered, and of which possession was delivered.

But when this rule was relaxed, which it has long been, & a new principle introduced, by which the plaintiff was to point out to the officer the particular parcel of land which, in execution of the writ, he is to deliver possession of, and is to take possession at his peril, of only that to which he has title; the reason for the strictness formerly required in describing the land sued for necessarily ceased, as did the rule founded upon it. And it may now be safely laid down, that it is sufficient so to describe the lands that the defendant may know whether he is in possession of, or claims title to that which is sued for, or to some part of it, so as to prepare for his defence. — That the declaration in this case is certain to this extent, cannot admit of a doubt. Indeed, I am by no means prepared to say that this declaration would not stand the test of the severity of the ancient rule. The location of the land, its position and width, are stated with all convenient certainty, and nothing is wanting to the most precise identification of it, but to describe its length and the number of acres contained in it, which have never been supposed to be necessary in this species of action, certainly not for more than a century past.

The defendant can never be injured by an uncertainty in describing in the declaration the particular land sued for, unless he is thereby prevented from fully defending his title to that which he claims and is in possession of. If the plaintiff take possession under his execution, of land which was not recovered, or of more than he has recovered he thereby makes himself a trespasser; besides which the defendant may be relieved in a summary way upon motion. Neither can the defendant suffer any injury from this uncertainty in the action for mesne profits, for although the judgment is conclusive as to the title, yet the plaintiff can recover only the value of the profits received by the defendants in consequence of the ouster complained of in the ejectment. — As to the length of time the defendant has occupied, the judgment proves nothing, nor as to the value. The plaintiff must therefore prove how long the defendant had enjoyed the premises, as well as their value.

Both rules discharged.

J. R. Ingersoll & Charles Smith for defendants.

Chauncey & Baldwin argued these rules for plaintiffs.

#### AMERICAN SILK—No. 15.

Since I wrote my last number, a curious English work has fallen into my hands, printed at London, in the year 1791. It is entitled "the History of Derby, from the remote ages of Antiquity to the year 1791. By W. Hutton, F. A. S. S." Derby is a considerable *silk manufacturing* town, and it appears from this book that it was there that the manufacture of silk was first estab-

lished in England by the introduction of the *throwing mill*. The author gives a full and interesting account of that event, in which the reader will see what difficulties attended the enterprise, and what immense profits it brought to the nation and to the fortunate importer of the machinery. It will shew also what labour and expense is required to make *sewing silk*, and confirm what I have endeavoured to prove that it is not with that article that the United States ought to begin, as, in order to be made good and merchantable, it indispensably requires the use of the *throwing mill* and of its auxiliary machinery. It will be recollected that the English do not make raw silk but purchase it of foreign nations, and nevertheless still make great profits by its manufacture, which would be much more considerable if, like the United States, they were in possession of the *raw material*.

Without further preface, I proceed to giving extracts from the work above mentioned, beginning at page 191.

"SILK MILL.—All the writers, from Gregory to Gough, who have travelled through Derby, for half a century, give us a description of the *silk mill*. But it is doubtful whether an adequate idea can be formed of that *wonderful* machine, when described by an author who does not understand it himself."

The author proceeds to say that he was born in Derby, and served a seven year's apprenticeship to the silk mill, during which he received numerous floggings, of which he gives a most minute and moving description, accompanied with moral and philosophical reflections on flogging, with which I shall not entertain the reader, but proceed to what more immediately relates to my subject.

Page 195. "The Italians had the exclusive art of silk throwing; consequently an absolute command of that lucrative traffic. A gentleman of the name of Crotchett thought he saw a fine opening to raise a fortune; he therefore erected a small silk-mill in 1702. Every prospect of the future undertaking was favorable till the scheme was put in practice, when the bright ideas died away. Three engines were found necessary for the whole process: he had but one.\* Crotchett soon became insolvent."

"John Lombe, a man of spirit, a good draughtsman, and an excellent mechanic, travelled into Italy with a view of penetrating the secret. He staid some time; but he knew admission was prohibited. He adopted the usual mode of accomplishing his end by corrupting the servants. This gained him frequent access in private. Whatever part he became master of, he committed to paper before he slept. By perseverance and bribery he acquired the whole, when the plot was discovered, and he fled with the utmost precipitation on board a ship at the hazard of his life, taking with him two natives, who had favored his interest and his life at the risk of their own. But though he judged the danger over, he was yet to become a sacrifice.

"Arriving safe with his acquired knowledge, he fixed upon Derby as a proper place for his purpose, because the town was likely to supply with a sufficient number of hands, and the able stream with a constant supply of water. This happened about the year 1717.

"He agreed with the corporation for an island or swamp in the river, 500 feet long, and 52 wide, where he erected the present works, containing six apartments, and 468 windows, at the expense of about £30,-

\*Four engines are now wanted, to wit, the winding, cleaning and doubling machines, and the mill itself.—But it seems the *cleaning* or *purging* machine had not yet been invented, and the women who wound the silk on bobbins, had to pull out the burs that adhered to it with their fingers, which must have been a long and tedious process, and the silk must have frequently broke. Now, by means of the machine, the operation is very rapid, and large quantities of silk are cleaned at the same time without breaking.

000. This island, with another, called the Bye-flat, were part of the continent, but separated, ages past, by cutting two sluices to work four sets of mills. The ground continuing flat, farther west, would yet allow one or two sets more.

"This ponderous building stands upon huge piles of oak, from sixteen to twenty feet long, driven close to each other with an engine made for that purpose. Over this solid mass of timber is laid a foundation of stone.

"During three or four years, while this grand affair was constructing, he hired various rooms in Derby, and particularly the Town-hall, where he erected temporary engines, turned by hand. And although he reduced the prices so far below those of the Italians, as to enable him to monopolize the trade, yet the overflowing of profit was so very considerable, as to enable him to pay for the grand machine as the work went on.

"Being established to his wish, he procured in 1718, a patent from the crown, to secure the profits during fourteen years. But, alas! he had not pursued this lucrative commerce more than three or four years, when the Italians, who felt the effects of the theft from their want of trade, determined his destruction, and hoped that of his works would follow.

"An artful woman came over in the character of a friend, associated with the parties and assisted in the business. She attempted to gain both the Italians, and succeeded with one. By these two, slow poison was supposed, and perhaps justly, to have been administered to John Lombe, who lingered two or three years in agonies and departed. The Italian ran away to his own country, and Madam was interrogated, but nothing transpired except what strengthened suspicion."

The author proceeds to give a description of the funeral of John Lombe, which he says was the most superb ever known in Derby; the deceased being considered as a benefactor to the country. He does not appear to have possessed any other remarkable quality, except that he was a man of "peaceful deportment." The writer then continues his narrative.

Page 202. "John dying a bachelor, his property fell into the hands of his brother William, who enjoyed, or rather possessed the works but a short time; for, being of a melancholy turn, he shot himself. This superb erection, therefore, became the property of his cousin, Sir Thomas Lombe. I believe this happened about the year 1726.

"If the Italians destroyed the man, they miscarried in their design upon the works; for they became more successful, and continued to employ about 300 people.

"In 1732 the patent expired; when Sir Thomas petitioned Parliament for a renewal and pleaded "That the works had taken a long time in perfecting, and the people in teaching, that there had been none to acquire emolument from the patent." But he forgot to inform them that he had already accumulated more than £80,000. Government, willing to spread so useful an invention, gave Sir Thomas £14,000 to suffer the trade to be open, and a model of the works taken; which was for many years deposited in the tower, and considered the greatest curiosity there.

"A mill was immediately erected at Stockport, in Cheshire, which drew many of the hands from that of Derby, and, among others, that of Nathaniel Gartrevall, the remaining Italian, who, sixteen years before, came over with John Lombe: him I personally knew; he ended his days in poverty. Since then eleven mills have been erected in Derby, and the silk is now the staple trade of the place; more than a thousand hands are said to be employed in the various works, but they are all upon a diminutive scale compared to this.

"The describers of this elaborate work tell us mechanically, that it contains 26,000 wheels, 97,000 movements, which work 71,000 yards of silk-thread, while the water-wheel, which is eighteen feet high, makes one revolution, and that three are performed in a minute. That one fire-engine conveys warmth to every in-

dividual part of the machine; and that one regulator governs the whole." By these wholesale numbers, the reader is left about as wise as before. The design of writing is to communicate the same intelligence to the understanding, as might be conveyed through the eye or the ear upon the spot. Had the author made the number of wheels 10,000 less, he would have been nearer the mark; or if he had paid an unremitting attendance for seven years, he would have found their number 13,384. Perhaps his *movements*, an indeterminate word, will also bear a large discount, but as I am neither in the humour to calculate nor contradict, I shall leave him in possession of his own authority. What number of yards are wound, every circuit of the wheel, no man can tell; nor is the number open to calculation. The wheel revolves about *twice* in a minute. Nor is the superb *fire-engine*, which blazes in description, any more than a common stove, which warmed *one corner* of the large building, and left the others to starve—but the defect is now supplied by fire-places. The *regulator* is a peg in the master-wheel, which strikes a small bell every revolution; near it is a pendulum, which vibrates about fifty times in a minute. Twenty-four returns of the pendulum is the medium velocity of the wheel. Although there are a vast number of parts, any one of which may be stopped, and separated at pleasure; yet the whole, extending through five large rooms, is *one* regular machine, which moves and stops together. Every minute part is attended with two wheels, one of which turns the other. If you separate the two, the last stops of course, while the former moves gently on.

"The raw silk is brought in hanks, or skeins, called slips, and would take five or six days in winding off, though kept moving ten hours a day. Some are the produce of Persia; others of Canton, coarse, and in small slips; some are from Piedmont, these are all of a yellowish colour; and some are from China, perfectly white. The work passes through three different engines, one to wind, the second to twist, and the third to double.—Though the thread is fine, it is an accumulation of many. The workman's care is chiefly to unite, by a knot, a thread that breaks, to take out the burs and uneven parts, some of which are little bags, fabricated by the silk worms as a grave for itself, when nature inspires the idea of leaving the world; the bags are neatly closed up, and hung to a thread as the last efforts towards its own funeral. They generally moulder to a darkish dust; some times are totally gone: but I have frequently taken them out alive. The threads are continually breaking; and to tie them is the business of children, whose fingers are nimble. The machine continually turns a round bobbin, or small block of wood, which draws the thread from the slip, while expanded upon a swift, suspended on a centre. The moment the thread breaks, the swift stops. One person commands from twenty to sixty threads. If many cease at the same time to turn, it amounts to a fault, and is succeeded by punishment.—From the fineness of the materials, the ravellous state of the slips and bobbins and the imprudence of children, much waste is made, which is another motive of correction; and when correction is often inflicted, it steels the heart of the inflictor."

In the book from which the above extracts are taken, which belongs to the Library Company of Philadelphia, the following note is written in pencil at the bottom of the page, probably by some English silk throwster:—"The foregoing is a very imperfect account of the silk mill; it is totally silent on the subject of the machine which immediately connects with the great wheel, and is concealed from the eye of the visitor."

I admit that the account is by no means a full or correct one; partly in consequence of the modern improvements in the machinery, which the author could not be acquainted with, and partly also because he does not appear to possess a remarkable talent for description.—It will, however, be sufficient to confirm a great part of what I have said in the preceding numbers.

24th September, 1829.

J. D'HOMERGUE.

*Imports of Silk—Exports of Breadstuffs.*

The Treasury statements present some curious facts. The importations of the year ending Sept. 30, 1828, were of Silks—

|                      |             |
|----------------------|-------------|
| From India,          | \$2,829,754 |
| Other places,        | 4,778,860   |
| Vestings and Plaids, | 216,210     |
| Raw Silk,            | 608,709     |

\$8,433,563

Exports of Silk, 1,274,861

Remaining for home consumption, 7,610,702

*Exports of Breadstuffs and Grain.*

|                                  |             |
|----------------------------------|-------------|
| Wheat, Flour and Biscuit,        | \$4,364,774 |
| Indian Corn and Meal,            | 822,838     |
| Rye Meal,                        | 59,036      |
| Rye, Oats and other small Grain, | 97,997      |

5,414,665

Seven millions of Silks imported for home use!—Five millions of Breadstuffs exported! And yet silk is the production of agriculture as much as Corn.

*Village Record.*

## BIOGRAPHICAL MEMOIR OF

## MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 217.)

It has already been shown that the distresses of the army were equal if not greater at the opening of the campaign of 1780, than those which had attended any preceding one. Congress being fully aware of this, from repeated representations of the Commander-in-chief, resolved to send to camp a committee consisting of three members, who were vested with extensive power to make, in conjunction with General Washington, such arrangements as the state of the finances would admit, and the exigencies of the army required. This committee, after a full inquiry, reported that "The army was unpaid for five months; that it seldom had more than six days' provisions in advance, and was, on several occasions, for sundry successive days without meat; that the army was destitute of forage; that the medical department of the army was without money, and had not even the shadow of credit left; that the patience of the soldiers, borne down by the pressure of complicated sufferings, was on the point of being exhausted."

In order to pacify the soldiery, Congress, in the mean time, passed a resolution declaring that they "Would make good to the line of the army, and to the independent corps thereof, the deficiency of their original pay, which had been occasioned by the depreciation of the continental currency," &c. About this period the paper money had so much depreciated, that the nominal pay even of a Major General would not compensate an express rider, and that of a Captain would not purchase for him the necessary shoes whilst marching against the enemy; and probably that of the common soldier would not pay for the tobacco which he chewed.

Long did the army bear their privations with the greatest patience; and great credit was due to the officers for encouraging them to it, "both by exhortations and example." However the above mentioned resolution had but a temporary effect; it produced no immediate relief; and, on the night of 25th May, two regiments belonging to Connecticut revolted, nor did the others evidence any disposition to suppress the mutiny; however, after several expositions and exertions of the officers, aided by the appearance of a neighboring brigade of Pennsylvania, the mutineers returned to their quarters. This event, and the discontents which prevailed among the inhabitants of New Jersey, in consequence of the frequent requisitions made on them for military supplies, all of which had been much exaggerated in the commu-

nications to Knyphausen, who, in the absence of Clinton, commanded in New York, induced him to cross over with about five thousand men from Staten Island, in order to break up the Head Quarters of General Washington, then at Morristown, New Jersey; but from the disposition which the American Commander made to defend his post, and from the resistance which the Hessian or German General experienced from the continental outposts and the militia of New Jersey, compelled him to halt at Springfield. On his route he passed through Connecticut Farms, a very flourishing settlement which had been celebrated for its zeal in the American cause. In this neighborhood resided the patriotic and Reverend Mr. Caldwell, who, on the approach of the British, had prudently retired from his dwelling.—His wife resolved to remain in the house, supposing that it would secure its preservation. Unfortunate woman!—"A dastardly British soldier," says a writer of the day, "came to the house, and putting his gun to the window of the room where Mrs. Caldwell was sitting, with her children and a maid servant, with an infant in her arms, alongside of her, fired and shot her instantly dead. The body by the earnest request of an officer, was with some difficulty suffered to be carried to a small house at a distance, before Mr. Caldwell's dwelling was set on fire and consumed, together with every thing belonging to him. They burned down about a dozen other houses, and the Presbyterian meeting-house." The infamous Tryon, a second Grey, accompanied Knyphausen on the expedition; to the former, who was present, and not to the latter, were those disgraceful depredations attributed. This incursion was of but 48 hours' continuance, after which the British re-occupied the ground where they had debarked. Had the American General been in force sufficient to have left his position near Springfield, the murder of Mrs. Caldwell, and the destruction committed at Connecticut Farms, would have been fully avenged.

At this time, 7th June, 1780, the whole army under the immediate command of General Washington, in the neighborhood of Springfield, fell short of three thousand men. Says an eminent writer, when referring to this occasion, "So reduced by the wretched policy of short enlistments, by the absolute debility of Congress, and by the failure of the several states to make timely exertions to bring their quotas in the field, was that force on which America relied for independence." Said General Washington, in a letter to a friend, with reference to Knyphausen's excursion, "You but too well know, and will regret with me, the cause which justifies this insulting manœuvre on the part of the enemy. It deeply affects the honor of the States, a vindication of which could not be attempted in our present circumstances, without most intimately hazarding their security, at least so far as may depend on the preservation of the army. Their character, their interest, their all that is dear, call upon them in the most pressing manner to place the army immediately on a respectable footing."

Very much of the military grievances which the Commander-in-chief and his officers were so often compelled to represent to the constituted authorities of their country, arose from Congress having transferred the provisioning and recruiting of the army to the individual states, thus creating a state in place of a national system for military purposes; and had it not been for the extraordinary exertions of the commander-in-chief, some of his officers, and executives of a few states, this miserable defective system must have terminated very injuriously, if not fatally, to the cause of America. The reader is respectfully referred to the fourth volume of Marshall's Washington for a full and satisfactory detail of the evil consequences arising from that system, and the means adopted to counteract them.

The British, under Knyphausen, after their retreat (for it was nothing less) from Springfield, remained inactive at Elizabethtown for many days; this, with other circumstances, created a suspicion in the Commander-



in-chief that Sir Henry Clinton was about to return victoriously from South Carolina, and that he would, without debarking his troops at New York, as in the case of General Matthews the preceding campaign, after his predatory expedition to Virginia, push up the Hudson for the purpose of surprising and seizing the strong positions on that river, more especially West Point, at which post the garrison was much reduced, in consequence of those causes which operated so disadvantageously in all quarters to the American arms; and that Knyphausen remaining at Elizabethtown was a feint, to alarm him respecting the security of his stores and magazines at Morristown and its vicinity.

On the 18th June, Sir Henry Clinton, with 4000 troops, escorted by Admiral Arbuthnot, returned to New York from his conquest of South Carolina. This event augmented the British regular force to 12,000 men: the greater part of this army could be speedily concentrated for any object; in addition to which, on any exigency Sir Henry could call to his aid for either garrison, or other military services, 4000 tory military and refugees. General Washington's whole force at this junction amounted to little more than 5000 regulars, and his real operating force to something more than 3000. The British commander, immediately after his arrival, determined to improve on the original design of capturing or destroying the military stores deposited at Morristown, and in its neighborhood, and putting up the army which might have the gallantry to attempt their defence. To mask his real view, he embarked troops and made such preparations at N. York as indicated an immediate move up the North river. As soon as Gen. Washington received intelligence of this circumstance, that he might be prepared to defend West Point and the strong holds in the Highlands, he marched with the principal part of his army towards those points on the 21st, leaving at Springfield the remainder, consisting of 700 men, together with the cavalry and militia, under command of General Greene. As General Washington was resolved not to march beyond supporting distance of Gen. Greene, his movement was necessarily slow; and he had not advanced more than eleven miles from Morristown on the 22d, when he was informed that the most probable design of the British was the stores, &c.; he therefore halted. On the morning of the 23d, further suspense was removed by a messenger from Greene, dated "Springfield, 23d, six o'clock, A.M.—The enemy are out on their march towards this place in full force, having received a considerable reinforcement last night." As soon as this intelligence reached the Commander-in-chief, he detached a brigade, under General Wayne, from the main army, to hang on the right flank of the enemy; but the action was over, and the British had retreated, before the brigade, with every exertion, could gain its position. The following correspondence occurred on this occasion.—

Chatham, 23d June, 1780, 8 o'clock, P.M.

Dear General,—You no doubt have heard that the enemy, after burning Springfield, are retired to their former post on Elizabethtown point. Their number from the best observation did not exceed 4000; they brought out three days' provisions, which probably is to serve them until they reach the vicinity of West Point. I have not yet seen General Greene, but from good intelligence the grenadiers and light infantry, composing two battalions, together with all the other troops lately arrived in Charlestown, except the legion, embarked last evening, but had not sailed this morning. May they not wait the return of those who marched from the point this morning, and proceed in conjunction up the river, in full confidence that this manœuvre has drawn your Excellency's attention to this quarter?

I shall in consequence move along the mountain towards the Passaic falls, in the morning, unless countermanded by your Excellency or General Greene.

Most respectfully, your obdt. servt.

ANTHONY WAYNE.

Whippany, 11 o'clock, P.M. }  
23d June, 1780. }

Dear Sir,—Some time before the receipt of your favour I was informed that the enemy had returned to their station at Elizabethtown point. It is certainly difficult if not impossible to ascertain their views. I, however, all things considered, wish to keep our force as compact as possible, and therefore wish you, if you find in the morning that the enemy are quiet or gone over to Staten Island, to return by the same route you marched to-day.

I am, dear Sir,

Your most obedient servant,

GEO. WASHINGTON.

General WAYNE.

Springfield, June 24th, 1780.

Dear General,—The enemy have evacuated this state. They left the point last night between twelve and one. It is said that part of them are embarked with a view of going up the Hackensack river. This I give but little credit to. It is certain they are gone, but where I know not. I wish you to put your troops in motion to join the General, and come down here yourself, in order to see if we can fix the point they are about to direct their operations. Perhaps before your arrival I may be gone forward to Elizabethtown. I beg you will follow me,

I am, dear Sir, your servant,

NATHANIEL GREENE.

General WAYNE.

As in the former instance, so in this, the continental outposts, in conjunction with the militia, made so resolute and effectual opposition to the British advance, that General Greene was enabled to rally and post his troops upon a range of hills, and at such supporting distances as induced the British leaders to decline any attempt to dislodge him from those strong positions; but in revenge he commenced firing the town of Springfield, and the buildings in its neighbourhood. Nearly fifty dwelling houses were burned, and the whole village, excepting four houses, say the historians of those occurrences, was reduced to ashes. This conflagration closed the enterprise, as it most certainly did stamp the stigma of infamy on the British arms. On this incursion the British army, as it afterwards appeared, consisted of about 5000 infantry, a large body of cavalry, accompanied by from ten to twenty field pieces. It is almost incredible that such an army, headed by the British Commander-in-chief, did rapidly retire from one-fifth of the number of regulars opposed to it, and leave scarcely a trace of its prowess behind, excepting that of the ruin and destruction, not of the real objects, the American army, stores and magazines, but those of defenceless dwellings. No innocent female in this, as in the recently preceding excursion, fell a victim; she fled with her smiling babe, before the destroyer came.

Sir Henry, after commencing, continued his retreat; during which he was much harassed by the militia, who were greatly exasperated at the burning of Springfield, and who pursued his rear until he reached Elizabethtown, which was about sunset. The British army pushed on to Elizabethtown point, where they halted until midnight; they then commenced passing over to Staten Island; the rear crossed about sunrise, and removed the bridge which had been previously formed. It is said that the British, during the incursion of 24 hours, suffered much loss. That of Greene's was considerable, not more than 20 killed and 60 wounded.

It is hoped that this digression will not cause the least disrelish for the resumption of the more immediate object of this memoir.

It has already been mentioned that Sir Henry Clinton had at any time, subject to his command 4000 militia and refugees. Many persons of this latter description resided in Bergen Neck, New Jersey, who were in the practice of stealing from the well affected inhabitants horses, cattle, &c. for the use of the British army. The principal leaders of this banditti had erected for the de-



fence of themselves and associates in plunder, a remarkably strong and large block-house, which was said to have been constructed under the immediate superintendence of an engineer attached to the British army. This block-house was well garrisoned, and fully supplied with the means of defence. The capture of the horses, cattle, &c., together with the destruction of this post, was deemed a matter of considerable importance, as it must necessarily result in the breaking up of this horde of freebooters. With a view of carrying these objects into effect, combined with ulterior considerations, General Wayne matured a plan of operations which is disclosed, and its result made known in the following correspondence between him and the Commander-in-chief:—

The first and second Pennsylvania brigades, with four field pieces, and Colonel Moylan's horsemen, to take up their line of march at 3 o'clock to-morrow afternoon, for the purpose of destroying the block-house near Bull's ferry, and securing the horses and cattle in Bergen neck, and between the Hackensack and North river, from the New Bridge and Liberty Pole southward.

#### DISPOSITION.

A Captain and twenty horse to proceed for Closter landing, so as to be in possession of the look-out opposite Phillips' by the dawn of day, calling on Captain Blanch to join him with his company of six months' men, in order to watch the motion of the enemy on Valentine's hill; and should he discover any attempt to land troops on this side the river, he will immediately raise a large smoke and continue it, despatching at the same time two trusty horsemen with the particulars, towards Bull's Ferry, below Fort Lee, giving every opposition to the enemy whilst attempting to pass up the defile, which the militia, under Captain Blanch will be employed in. A field officer, with one hundred men and one piece of artillery, to remain in possession of New Bridge; two regiments to advance with a few horse, one to the beach opposite King's Bridge, the other to Fort Lee, in order to make the proper signals in case of any attempt from Fort Washington, which, from my knowledge of the ground, is an event more to be wished than dreaded. These posts all to be occupied by the dawn of the day, day after to-morrow, and all persons prevented passing or repassing.

The remainder of the troops will move in two columns for Bull's Ferry; one on the summit of the mountain, to scour the hills; the other, with the artillery and horse, along the open road.

While this is performing, (unless circumstances render it improper,) the remainder of the horse, with a footman behind each, will push with rapidity towards Burgetown, and when they reach as low as is necessary or prudent, begin and drive off every species of cattle and horses, moving back with velocity, whilst another party are advanced to cover them.

This will effectually guard against any serious consequences, and afford an opportunity of effecting our purpose or withdrawing occasionally.

Should this meet your Excellency's approbation, or should you think it expedient to alter or amend it, I will with some degree of confidence take charge of the affair.

These are the outlines, the minutiz will be attended to on the march.

Interim, I have the honor to be, with sincere esteem, your Excellency's most obedient, humble servant,

ANTHONY WAYNE.

His Excellency,

General WASHINGTON.

19th July, 1780.

Head Quarters, Colonel Day's,

20th July, 1780. }

Dear Sir,—You will proceed with the 1st and 2d Pennsylvania brigades, and Colonel Moylan's regiment of dragoons, upon the execution of the business planned in your's of yesterday. I do not at present think of any

necessary alterations in the plan submitted to me, except that of detaching a few horse this afternoon to patrol all night, and see that the enemy do not, in the course of the night, throw over any troops to form an ambuscade; they need not go so low down or in such numbers as to create any alarm; they may inquire as they go for deserters, after whom they may say they are in pursuit. The enemy have so many emissaries among us, that scarce a move or an order passes unnoticed. You are so well acquainted with the critical situation of the ground, that it is needless in me to recommend the extreme of caution. I most heartily wish you success; being, with real esteem, dear Sir,

Your most obedient servant,

GEORGE WASHINGTON.

General WAYNE.

Totoway, 22d July, 1780.

Dear General,—In pursuance of the plan which your Excellency was pleased to approve, the 1st and 2d Pennsylvania brigades, with four pieces of artillery, took up the line of march the 20th, at 3 o'clock, P. M. and arrived a little in rear of New Bridge at nine in the evening. We moved again at one in the morning, in order to occupy the ground in the vicinity of Fort Lee, and the landing opposite King's Bridge, by the dawn of day, agreeably to the enclosed order. We advanced towards Bull's Ferry, General Irvine, with part of his brigade, along the summit of the mountain, and the first brigade, under Colonel Humpton, with the artillery and Colonel Moylan's horse, on the open road. About 10 o'clock the first brigade reached that place. Colonel Moylan, with the horse and a detachment of infantry, remained at the forks of the road leading to Bergen and Powle's hook, to receive the enemy if they attempted any thing from that quarter. On reconnoitring the enemy's post at Bull's Ferry, we found it to consist of a block-house, surrounded by an abatis and stockade to the perpendicular rocks next North river, with a kind of ditch or parapet serving as a covered way. By this time we could discover a move of troops on York Island, which circumstance began to open a prospect of our plan taking the wished effect. General Irvine was therefore directed to halt in a position from which he could move to any point where the enemy should attempt to land, either in the vicinity of this post or Fort Lee, where the 6th and 7th Pennsylvania regiments were previously concealed, with orders to meet the enemy, and after, landing, with the point of the bayonet to dispute the pass in the gorge of the mountain, at every expense of blood, until supported by General Irvine and the remainder of the troops. The first regiment was posted in a hollow way on the north of the block-house, and the 10th in a hollow on the south, with orders to keep up an incessant fire into the port holes, to favor the advance of the artillery covered by the 2d regiment. When the four field pieces belonging to Colonel Proctor's regiment arrived at the medium distance of sixty yards, they commenced a fire which continued without intermission from eleven until quarter after twelve, at which time we received expresses from Closter, that the enemy were embarking their troops at Phillips', and falling down the river. We also saw many vessels and boats, full of troops, moving up from New York, which made it necessary to relinquish the lesser;—i. e. drawing the enemy over towards the posts already mentioned, and deciding the fortune of the day in the defiles, through which they must pass before they could gain possession of the strong ground.

In the mean time, we found that our artillery had made but little impression, although well and gallantly served, not being of sufficient weight of metal to traverse the logs of the block-house. As soon as the troops understood that they were to be drawn off, such was the enthusiastic bravery of all officers and men, that the 1st regiment; no longer capable of restraint, rather than leave a fort in their rear, rushed with impetuosity over

the abbatis, and advanced to the palisades, from which they were with difficulty withdrawn, although they had no means of forcing an entry: the contagion spread to the 2d, and by great efforts of the officers of both regiments, they were at length restrained, not without the loss of some gallant officers wounded, and some brave men killed. Happy it was that the ground would not admit of a further advance of the 10th, and that the situation of General Irvine's brigade prevented them from experiencing a loss proportionate to those immediately at the point of action, as the same gallant spirit pervaded the whole, which would have been the means of frustrating our main object by incumbering us with wounded. The artillery was immediately drawn off and forwarded towards the wished-for point of action; the killed and wounded were all moved on, excepting three that lay dead under the stockades. During this period Colonel Moylan's dragoons drove off the cattle and horses from Bergen, whilst a detachment of the infantry destroyed the sloops and wood boats at the landing, in which were taken a Captain with a few sailors; some others were killed in attempting to escape by swimming. Having thus affected part of our plan, we pushed forward to oppose the troops from Voluntine's hill, where we expected to land at the nearest point to New Bridge, which, if effected, we were determined either to drive back the enemy, or cut our way through them; but in the doing of either we were disappointed. The enemy thought proper to remain in a less dangerous situation than that of the Jersey shore. We therefore passed on to New Bridge, and by easy degrees we have returned to this place.

Enclosed are copies of the orders of the 20th, together with a return of the killed and wounded, 64 in number, among whom are Lieutenants Crawford and Hammond of the 1st, and Lieutenant De Hart of the 2d; the latter mortally wounded.

I cannot attempt to discriminate between officers, regiments and corps, who with equal opportunity would have acted with equal bravery: Should my conduct and that of the troops under my command, meet your Excellency's approbation, it will much alleviate the pain I experience in not being able to carry the whole of our plan into execution, which from appearance, could only have been prevented by the *most malicious* fortune.

I have the honor to be your Excellency's most obedt. servant,

ANTHONY WAYNE.

His Excellency,  
General WASHINGTON.

General Wayne, in order to guard against any misrepresentation of the above expedition and its results, as well as to give a full exhibit of the motive which led to it, their concealment being no longer necessary, thus addressed his friends, Colonels Delany and Johnston:—

Totoway, 26th July, 1780.

Dear Colonel,—You have undoubtedly heard of our march to Bergen, but as ignorance, malice, or envy, aided by the tongue of slander, may attempt to misrepresent that affair, I shall just mention the object in view, viz: to drive the stock out of Bergen Neck; to prevent the enemy from receiving constant supplies from that quarter, and in case of siege to secure to our own use those cattle which they would carry into New York; one other was the destruction of the refugee post near Bull's Ferry, consisting of a block-house, surrounded by a stockade and abbatis, with a ditch or parapet serving as a covered way, garrisoned by refugees, Tories, and all the banditti, and robbers and horse thieves of that country, with some pieces of artillery. But the grand object was to draw the arms which General Clinton bro't from Charleston, made up of grenadiers, guards and light infantry, into the defiles of the mountain in the vicinity of Fort Lee, where we expected them to land, in order to succour the refugee post, or to endeavour to cut off our retreat to New Bridge: the object to them was

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great; the lure appeared to fake; three thousand British embarked at Phillips' and fell down opposite the landings, where the 6th and 7th regiments were posted, with orders to secrete themselves until the enemy had debarked, and then to meet them in the gorge of the defiles, and with the point of the bayonet to dispute the pass at every expense of blood, until the arrival of the first and second brigades, which would place the British boys between three such fires, aided by the bayonet, too much for human firmness to withstand; but these gentry prudently remained on board, which was a less hostile position than that of the Jersey shore. I may now with safety mention, that one object not the least, was to divert their attention from the meditated attempt upon Rhode Island, in a combined attack by land and water on the French fleet at that place. Six thousand men were actually embarked, who have been delayed by this manœuvre for four days, a circumstance which will render their meditated attack totally abortive. I always had the highest opinion of the Pennsylvania troops; if it were possible, on this occasion they would have increased my admiration.

Tell Mrs. Delany and Mrs. Peters, that of equal rank, no country or service can produce a more worthy officer than their brother, Lieutenant Colonel Robinson; if he has a fault, it is extreme excess of bravery: He commanded the first regiment that day; his horse was wounded under him in two places, and his coat riddled by musket balls and buck shot;—he has deservedly become the idol of his soldiers.

Yours, most respectfully,

ANTHONY WAYNE.

Col. Thomas Robinson, whom Gen. Wayne mentions in the above letter, was a native of New Castle county, state of Delaware. He entered the Pennsylvania line when he was very young, and continued in it during the war, greatly esteemed both in and out of the army.

After the close of the war, he returned to his native state, and settled himself as an agriculturist on his paternal farm, where he exercised a most splendid hospitality to all who entered his threshold. He was honored by the state of Delaware with many important trusts, both civil and military; and at the time of his decease, which occurred a few years since, he was Vice-President of the Pennsylvania Society of Cincinnati.

It has been said that Gen. Wayne's expedition to Bergen Neck afforded a theme for the poetical pen of the Adjutant General of the British army, the ill-fated, though accomplished, Major John Andre. The verses were, and perhaps yet are exhibited in Peale's museum, Philadelphia, and are pronounced to be autographical. In this playful sally of the Major's muse, Gen. Wayne is represented in the character of a tanner, driving off cattle for the sake of their hides, &c.

(To be continued.)

#### FIRST REPORT OF THE CANAL COMMISSIONERS.

During the progress of the "Register," we have published all the reports of the Canal Commissioners which have appeared in that period. Previously to commencing this work there were several presented to the Legislature, which in order to complete the series, we have concluded to publish. The following is the first report: *First Report of the Canal Commissioners. — Read in Senate, January 5, 1826.*

Canal Commissioners Office,  
Philadelphia, December 30, 1825.

SIR.—I have the honor to enclose to your excellency, the first Report of the Canal Commissioners.

With the highest respect, Sir,

Your most obedient servant.

JOHN SERGEANT, President.

His excellency J. ANDREW SHULZE,  
Governor of Pennsylvania.

The Commissioners appointed by his excellency the Governor of Pennsylvania, under the authority of an act of the Legislature, entitled, "An Act to appoint a board of Canal Commissioners," have the honor, in compliance with the requisition of the eighth section of the said Act, to submit the following Report in part.

In consequence of one of the Commissioners first named by the Governor, having declined the appointment, and the time necessarily employed in supplying his place, the Board could not be organized until the fourth of July, when John Sergeant was elected President, and Joseph M'Ilwaine appointed Secretary, however, the Commissioners who had accepted, sensible of the great importance of the duty assigned them: and desirous that there might be no unnecessary delay in entering upon its execution, were occupied in making such provisional arrangements and obtaining such information as might enable the Board when organized, to proceed without loss of time.

The objects enumerated in the act, it was very evident could not all be advantageously attended to in one session. The board were therefore obliged to make a selection, and in doing so they deemed it their duty to follow the order pointed out by the act, as that which had been established by the wisdom of the Legislature, giving the priority to those routes which were first named in the act. Accordingly they made the earliest practicable arrangements for examining the routes by the Susquehanna and the Juniata, to the Allegheny and Pittsburg, and thence to Lake Erie.

For this purpose they engaged *successively*, the services of William Wilson, of Lycoming, John Davies, of Dauphin, John Mitchell, of Centre, and Francis W. Rawle, of Clearfield, all of them citizens well qualified for performing the duties assigned them.

It was the desire of the board to have obtained the aid of an experienced practical engineer, and they made every exertion to do so, but it was found to be impracticable: all who were known by their established reputation, having been previously engaged for the season.

Subsequent experience and further information, have induced the board to believe that for the work of the past summer, the aid of an engineer of the description mentioned, was by no means indispensable, nor even very important, however valuable it may be in a future stage of the business.

The instructions to the several persons employed as before stated, were in conformity with a plan of operations which appeared to the board best calculated to effectuate the views of the legislature, and which they will now endeavour to explain. From the Allegheny mountain at or near to Blair's gap, and in the neighborhood of the head waters of the Juniata and Conemaugh, to the head waters of the Sinnemahoning branch of the Susquehanna, there is a ridge which may be considered generally, as the dividing summit in that direction between the eastern and western waters. This ridge passing through an unsettled country, thickly covered with timber, and hitherto little explored or known, had never (it is believed) undergone a careful examination on both sides of it. The streams which flow to the east and the west in a great measure determine the course to be thence pursued, as it is believed that a navigable connexion must follow very nearly the vallies of these streams, and they are understood to present no insuperable difficulty. But which of these should be used, where there were several, and how they should be used, whether as feeders or otherwise, it was evident must depend upon the point at which the summit should be passed, and the manner of passing it.

The great problem to be solved then, as it appeared to the board, was, whether water could be carried over this summit in sufficient quantity to answer the purposes of navigation, at what elevation, and at what point or points. It became necessary therefore to have an extensive and accurate examination of this ridge at the several points which offered a probability of passage, in

order that the legislature might have the fullest information: that the several points might be compared as to advantage and disadvantage, with each other, and that any or all of them might be compared with the Juniata summit.

Mr. Wilson was employed to make the examination on the Sinnemahoning branch, Mr. Davies was employed on the Juniata summit, Mr. Mitchell on the head waters of the west branch of the Susquehanna, and subsequently Mr. Rawle on the head waters of Clearfield creek. They were severally instructed to make their examinations with the utmost attainable accuracy, and to note and communicate all such matters as appeared to be important. They were especially directed to be very careful in taking the levels and measuring the streams, so that the materials for exact calculation, on these two essential points, might be furnished to the board. And to enable them to execute these instructions, they were supplied with excellent instruments, purchased by the commissioners, (with the exception of one belonging to the state) expressly for the work.

One of the commissioners accompanied Mr. Davies in the greater part of this work, and another gave his personal aid, during a part of the season, to Mr. Wilson and to Mr. Mitchell.

To be in the neighbourhood of the scene of these interesting operations, and to acquire some general knowledge of the country, the Board held a meeting at the town of Clearfield. Two of the members departed, after the adjournment, in a direction towards Lake Erie. One of them pursued the course by the town of Erie, and thence down the lake and along the New York canal; and the other, after visiting Meadville and Conneaut lake, passed down to Pittsburg, and thence to Philadelphia.

Having made these arrangements, and continuing to make such inquiries as would enable them to fulfil the trusts committed to them, the Board were obliged to wait the result. The season has proved favorable. The surveyors have not been much interrupted by bad weather, and the streams have been unusually low, so that the water they afforded at the time of examination may be regarded as the *minimum* quantity.

The work of the season, on the ground, is now completed. It includes the following particulars, to wit:

1. An examination of the several summits on the route by the west branch of the Susquehanna—a measurement of distances and levels from the several summits to a common point on the Susquehanna, and from that common point to the mouth of the Juniata.
2. An examination of the Juniata summit, and measurement and levels, thence by the Conemaugh, Kiskiminetas and Allegheny, to Pittsburg.
3. A connection of these levels with each other, and with the point established by the late commissioners, on the Allegheny mountain, so as to give the comparative elevation of all these points.

But the surveyors have not yet been able to make their Reports and furnish the necessary drafts. These, it is hoped, will soon be prepared, and the commissioners will then have it in their power to make a full Report. They regret that this delay should occur, but as it has been unavoidable, they hope a sufficient excuse for it will be found in the circumstances already adverted to.

It will be seen from the preceding statement, that the board have not thought it necessary to cause a survey and measurement to be made, and levels to be taken down the Juniata. Having been furnished with the notes of the late commissioners, they are satisfied that the results given in their Report are sufficiently correct to render an examination at this time superfluous, and their accuracy will be further tested by the connected surveys which have been made under the authority of the Board.

Neither have they as yet made any examinations beyond the Allegheny river. They are not unaware of

the importance of the connection with Lake Erie, nor unmindful of the interest felt in it by a large portion of their fellow citizens, whose wishes are entitled to regard. But besides being in a measure obliged to apply their force, during the past summer, chiefly to the summit between the Susquehanna and Allegheny, there were two considerations which seemed to them to render it less objectionable, if not quite expedient, to postpone the survey beyond the Allegheny. One of them was, that extensive examinations had already been made, and at the period spoken of, were still going on, under the direction of the government of the United States, of which, when completed, the agents of the state would have the full advantage. The other was, that the course of the improvement beyond the Allegheny might, in some degree, be determined by the route adopted on this side.

In relation to this part of the proposed surveys and examinations, one fact is stated, and generally believed to be correct, which it may be material for the legislature to know. It is, that a communication between the Ohio & Lake Erie, within the limits of Pennsylvania, whether it be by the Beaver river or the Allegheny, must be supplied on the summit level from the waters of French creek, and those waters are not sufficient for the supply of more than one canal. It would seem, therefore, to be a measure of prudence on the part of the commonwealth, so to reserve its power over that stream, or over any communication that may be formed by means of it, as to secure a connection with the great line on this side the Allegheny.

It will also be perceived, from the preceding statement, that the board have not caused surveys and measurements to be made and levels to be taken, down the several streams that flow from the dividing ridge into the Allegheny. The general elevation will be known from the connected levels, and the levels down the Conemaugh, Kiskeminetas and Allegheny, and an estimate can be made of the distances. Until the point shall be fixed at which the dividing ridge shall be passed, it is obviously impossible to say, which of these streams will be used; and to measure, examine and level them all, seemed to be putting the state to useless expense.

With the data which the board will furnish in their next report, they hope to afford the means of forming an accurate opinion upon the comparative merits of the two great lines of communication by the Juniata and west branch of the Susquehanna, as well as of the comparative advantages of the several points of passing the summit by the last mentioned route.

And the board, again expressing their regret at the unavoidable delay, respectfully ask to be permitted to make a further and full report, as soon as the necessary materials shall be provided.

All which is respectfully submitted.

By order of the Board,

JOHN SERGEANT, President.

Attest—JOSEPH M'ILVAINE, Sec'y.

## RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 221.*

1750—October 16. *Message from Gov. Clinton to the Assembly:* "Sorry to acquaint them that the French are determined at all events to bring off the Indians from our alliance. In consequence of this resolution they have been using all possible artifices to corrupt the Six Nations at Onondago, and have also lately sent a very large and valuable present to be distributed among the Six Nations at Ohio, and provided magazines of provisions and warlike stores at Detroit to be in readiness against the Spring."

*Answer of Assembly:* Presents provided—request that the proprietary would grant additional.

1750—51—January 19. *Letter from Gov. Clinton:*—"That he intended meeting the Six Nations and their allies in June next, at Albany. Suggesting an union of Councils on Indian affairs—requesting the Governor to meet him at Albany in person or send Commissioners." *Letter from George Croghan, Logstown in Ohio, Dec. 16* He arrived there the 15th, was told by Indians they saw Jean Cœur 150 miles up the river, where he intends building a fort. The Indians he had seen were of opinion the English should have a fort or forts on this river, to secure the trade. They expect a war with the French next spring.

February 6. *Letter from Gov. Clinton, Fort George, Jan. 29, 1750.* "I send you a copy of an inscription on a leaden plate stolen from Jean Cœur in the Seneca's country as he was going to the Ohio."

*"Inscription on the leaden plate buried at Ohio.*

L'AN. 1769. DV REGNE DE LOUIS XV ROY DE FRANCE NOVS CELERON COMMANDANT DVN DETACHEMENT ENVOIE PAR MONSIEUR LE M<sup>RS</sup> DE LA GALLISSONIERE COMMANDANT GENERAL DE LA NOUVELLE FRANCE POUR RETABLIR LA TRANQUILLITE DANS QUELQUES VILLAGES SAUVAGES DE CES CANTONS AVONS ENTERRE CE PLAQUE AU CONFLUENT DE L'OHIO ET DE TCPADAKOJNCE 29 JUILLET PRES DE LA RIVIERE OYO AUTREMENT BELLE RIVIERE POUR MONUMENT DE RENOUELLEMENT DE POSSESSION QUE NOUS AVONS PRIS DE LA DITTE RIVIERE OYO ET DE TOUTES CELLES QUI Y TOMBENT ET DE TOUTES LES TERRES DES DEUX COTES JUSQUE AUX SOURCES DES DITTES RIVIERES AINSI QUE'N ONT JOYI OV DV JOVIR LES PRECEDENTS ROIS DE FRANCE ET QUILS SY SONT MAINTENUS PAR LES ARMES ET PAR LES TRATTIES SPECIALMENT PAR CEUX DE RISWICK D' VIRECHT ET D' AIX-LA-CHAPELLE.

February 9. *Letter from Proprietaries* suggesting the building a stone house with small bastions, and a small force to protect our traders on the Ohio.

May 7. George Croghan and Mr. Andrew Montour sent out with presents to the Indians on the Ohio, and speeches.

August 12. *Letter from Jonquiere to Gov. Hamilton.* From Skenango, June 6, 1751. "Sir Monsr. the Marquis de la Jonquiere, Governor of the whole of New France, having honored me with his orders to watch that the English should make no treaty in the continent of the Belle Riviere, I have directed the traders of the Governor to withdraw. You are not ignorant, sir, that all the lands of this continent have always belonged to the King of France; and that the English have no right to come there to trade. My General has ordered me to apprise you of what I have done, in order that you may not pretend ignorance of the reasons of it; and he has given me this order, with so much the more reason, since it is now two years since Monsr. Celeron by order of M. Gallissoniere, then Commandant General, warned many English traders who were treating with the savages of Belle Riviere, against what they were doing, and they promised him not to return again to treat on their lands, as M. de Celeron wrote to you, lest any thing might happen."

August 21. *Message from Gov. to Assembly:* "GENT. Agreeably to your request in your message of October last, I acquainted the Hon. Proprietaries with your expectation that they would bear a part of the charges arising upon treaties and other negotiations with the Indians. In answer to which they have been pleased to direct me to acquaint the assembly that they do not conceive themselves under any obligation to contribute to Indian or any other public expenses, even though taxes were laid on the people for the charges of Government: but as there is not one shilling levied on the people for that service, there is the less reason for asking it

from them. Notwithstanding this, they have charged themselves with paying to the Interpreter much more than could be due to him on any treaties for land, and are, at this time at the expense of maintaining his son with a tutor in the Indian country, to learn their languages and customs for the service of the province, as well as of sundry other charges on Indian affairs. That they have been at considerable expenses for the service of the province both in England and here. All which being considered, and that they purchase the land from the Indians, and pay them for it, and that they are under no greater obligation to contribute to the public charges than any other chief Gov'r of any of the other Colonies. They would have been well pleased to have been freed from the necessity of giving a disagreeable answer to any application upon the subject.

August 21. Assembly disapproves of the proprietary's suggestion of building a strong-house stating that upright and friendly dealings have answered best.

August 24. Account from Gov. Clinton that 1200 French had passed Oswego to cut off some western Indians in alliance with the English; also the French were building a three masted vessel on Lake Erie, at Cataraugus.

October 3. Letter from Gov. Clinton, Fort George, in N. York, to Gov'r General of Canada, June 12, 1751: remonstrating against building a fortified house on the Niagara, and desiring six Englishmen prisoners to be set at liberty; demanding reparation for violence committed on territory of the five nations subject to his Britannic majesty.

*Answer.* Montreal, 10th Aug.—Denying that the five nations were subjects of his Britannic majesty.—They called themselves his brothers and were independent. If they belonged to any crown they were naturally belonging to the King of France. The French were the first whites that appeared on their territory; the first to form treaties, and were called their fathers. They had had uninterrupted possession. But they were independent. The English should not complain, as they did not. The five English captured were mere runners in the wood, people not acknowledged. He refers for the reason of the capture to the letters of Celezon and himself.

Aug. 30, 1752. Two Frenchmen and 240 Indians came to the town of the Twightwees in Allegheny (in amity with the governor, on the 21st June, and attacked the people there residing. One white man and 14 Indians killed, and 5 white men taken prisoners in the skirmish. The party attacked reported that they had a commission from the Governor of Canada to kill all such Indians as are in amity with the English, and to take the persons and effects of English traders. The Piankashaw king, taken, killed, and eaten, say the Twightwees in their message to the Governor.

May 21, 1753. Accounts that a large armament of French and Indians had passed by Oswego, destined as supposed for Ohio, in order to take possession of that country, and build forts on that river, on which messengers had been sent by Potowmac and Juniata to Ohio, to give the Indians notice. The messenger reported on his return, that he found the Indians not a little intimidated at the large armament of French and French Indians that had gone towards Ohio. Especially as the Governor of Canada had sent a message to them that the King of France, their master, had raised a number of soldiers to chastise the Twightwees and drive away all the English traders from Ohio, and take their own lands. That there was a strong party for the French, among the Indians, particularly the Senecas. *Message to Assembly*—recommending that means should be used to assist and protect the Indians and the Ohio country against the French.

May 30. Accounts that 150 French and Indians had arrived at a carrying-place leading from Niagara to the heads of the Ohio.

May 31. Assembly's message to the Governor, that

they had voted large presents to the Indians amounting to £800.

Aug. 7. 30 odd French canoes, part of an army of 6,000 French and 500 Indians, destined for the Ohio, commanded by Mr. Merin, passed Oswego. Their object they stated to be "to settle the limits between us and them at Ohio; that they claim all the lands descending or terminating in the great Lake. In case of opposition they will support it by force of arms—and to cause all English traders to leave those parts. That they have power to build forts," &c. at which the five nations seemed exasperated, and determined on resistance.

The half king sent a message from Logstown, June 22, 1753—that he and his brethren together with the six nations, the Twightwees, Shawanese and Delawares, were coming down to pay the Governor a visit, but were prevented by information arriving that there were 300 French and 10 Connewaugerons within two days journey of that place, requesting a number of the Governor's people to meet them at the forks of the Allegheny, and see the reason of their coming. They did not want the French to come among them, but wanted the English whose friends they were." Other accounts stated that the six nations were averse to see the English and French coming, and only wanted a few traders and to be at peace. Others that they were divided and could not resist the French without English assistance of fighting men.

Sept. 5, 1753. Message of Assembly to Governor.—The assembly had passed a bill for striking £2000. The Governor added a clause "that it should have no effect till it should receive the Royal approbation." This the house objected to.

Septem. 22. Richard Peters, Isaac Norris and Benjamin Franklin, Esquires, commissioned to meet and treat with the chiefs of the Ohio Indians at Carlisle.

Nov. 14. They Report. Arrived at Carlisle 26th Sept. Found the Indians there—they were the most considerable of the 6 nations—Delawares, Shawanese, with deputies from the Twightwees & Owandots. They had in vain forbid the French to come up from on their lands. They were ready to strike the French. A large present of goods was given them. While in Council, an account was brought the Indians, from Ohio, that a large army of French who had entered the country in the spring and had built a fort near the heads of the Ohio, were now actually coming down that river to a Virginia settlement situate in the fork of Monongahela with intent to build a fort there. Alarmed at this news the Indians made immediate preparations to return.

Nov. 15. A man of war arrived in Virginia with letters from Right Honorable Earl of Holderness, Secretary of State, to all the Governors of North America. The one to Gov. Hamilton, dated Whitehall, 25th of Aug. 1758:

"Sir—His majesty having received information of the march of a considerable number of Indians not in alliance with the King, supported by some regular European troops, intending, as it is apprehended, to commit some hostilities in parts of his majesty's dominions in North America, I have the King's command to send you this intelligence and to direct you to use your utmost diligence to learn how far the same may be well grounded, and to put you upon your guard that you may be at all events in a condition to resist any hostile attempt that may be made upon any parts of his majesty's dominions within your government; and to direct you in the King's name, that in case the subjects of any foreign prince or state should presume to make any encroachment on the limits of his majesty's dominion or to erect forts on his majesty's lands, or commit any other act of hostility, you are immediately to represent the injustice of such proceeding, and to require them forthwith to desist from any such unlawful undertaking. But if, notwithstanding your requisition, they should still persist, you are then to draw forth the armed force of the province, and to use your best endeavours to repel force by force. But as it is his majesty's determination not

to be the aggressor. I have the King's command most strictly to enjoin you not to make use of the armed force under your direction, excepting within the undoubted limits of his majesty's dominions. And whereas it may be greatly conducive to his majesty's service, that all his provinces in America should be aiding and assisting each other in case of invasion. I have it particularly in charge from his majesty to acquaint you, that it is his royal will and pleasure, that you should keep up an exact correspondence with all his majesty's Governors on the Continent, and in case you shall be informed by any of them of any hostile attempts, you are immediately to summons the General Assembly within your government, and lay before them the necessity of mutual assistance and engage them to grant such supplies as the exigency of affairs may require. I have wrote by this conveyance to all his majesty's Governors to the same purpose."

### BETHLEHEM.

The morning following our arrival in Bethlehem, we had the pleasure of an introduction to several of its inhabitants, among whom was Mr. Jedediah Weiss, a gentleman whom strangers will invariably find polite and attentive when requested to act as a cicerone in their rambles through this interesting little village. Under his guidance we visited the Grave Yard, Church, Corpse Houses, &c. &c. The Burying Ground, notwithstanding it is an object which many endeavour studiously to avoid, is worthy the attention of strangers. True—there are no highly sculptured monuments reared over the cold clay of the departed, bearing lengthened panegyrics upon the saintly characters of those who have fallen victims to the ruthless hand of time; but, in accordance with the humble and dignified principles of the Moravian creed, every thing is plain and unadorned.—The block of 'cold pale marble,' on the turf which covers the remains of their brother or sister, bears the plain inscription of the name, place of birth and death—simply telling that they lived and died. This is one of the regulations of the society,—nothing more is allowed—and we love this manner of displaying the respect entertained for our deceased friends. We prefer it to all the 'pomp and circumstance of wo,' the splendid cemetery, or the studied eulogium; a stone, rude as it may be, is sufficient to tell where we lie, and it matters little to him on whose pulseless bosom it reposes. The ground is divided into various departments; males, females, adults, children and strangers, have their different places of burial assigned them. Even here, as in every other object recognized within the jurisdiction of the society, all things are conducted with a due regard to system.

We next visited the "Corpse House;" where, on the decease of any member of the society, their remains are deposited for the space of three days; typical, we presume, of the death and burial of our Saviour. The weeping willows, whose drooping branches overhang this resting place of the dead, conveyed to the mind an impression not frequently felt, of the solemnity and silence which reigns in the narrow house prepared for all mankind. It stands detached from all other buildings—excluded from all communication with the stir and bustle of business, and appears in character with the purpose to which it is devoted. There is a feeling created by the influence of such circumstances—trifling as they may appear to some—melancholy, yet pleasing, thus to perceive all things in unison with the object to which they are dedicated.

The Church is one of the largest perhaps in the state. From the steeple a very beautiful, picturesque and extended view can be obtained. In one direction the scene stretches for upwards of twenty miles along the course of the Lehigh, and the Water Gap, at the Blue Mountains terminates the wandering explorations of the eye.

When a death occurs, a part of the choir ascend in the steeple, where a requiem or funeral hymn is played for

their departed brother or sister; and the melancholy notes as they fall on the ear in a calm morning are peculiarly solemn and impressive. The Church on the outside is plain, and the interior presents a perfect resemblance to the exterior. Every thing is simple and unornamented, and those who designed and executed the work seem to have adopted the motto of nature's, greatest poet. The organ is one of the best in the country, and the vocal and instrumental music of the Bethlehem choir we presume is but rarely exceeded in any of our churches. In truth, we are doubtful whether our large cities can produce better music than our Bethlehem friends, and strangers who have had the gratification of hearing the band, will concur with us in opinion. In the afternoon we attended the church and were much gratified at perceiving the complete order which prevailed. The scholars from the Seminary entered with their instructresses, hand in hand, and the smaller children entering in the same manner, with the services, and the devotions of those present, all combined was calculated to leave a highly favourable impression of their manners and customs, laws and institutions upon the mind of a stranger.

The Society take charge of their own poor, of which, however, there are very few; another argument in favour of their regulations. Industry, sobriety, order and contentment seemed to have fixed their dwelling here, and we can truly say that we have never visited a place where we experienced more pleasure than fell to our lot during the short stay we made in Bethlehem.

The town is supplied with water from the Monockosy creek. The works are said to be the oldest in the state, having been in operation more than eighty years, and we were informed that the Water works, at Fairmount, Philadelphia, were constructed on the principles adopted at Bethlehem. We were shown the house where General La Fayette lay during his recovery from the wound he received at the battle of Brandywine, and were told that the woman who acted as a nurse had an interview with the Old General, when he visited this country the last time, and that she was now living in the 'Sister House.' There are many things about this village calculated to interest and gratify, but much against our inclination we were compelled to forego the pleasure of visiting them.—*Lehigh Pioneer.*

### COAL & WOOD.

A writer in "Poulson's American Daily Advertiser" makes the following comparison.

| <i>Estimate of Wood for a small Family.</i> |         |    |          |
|---|---------|----|----------|
| Sept. 1st.—6 cords of good oak              |         |    |          |
| wood, at - - -                              | \$5 25  | is | \$31 50  |
| Hauling, at - - -                           | 50      | is | 3 00     |
| Sawing twice, to burn in ten                |         |    |          |
| plate stove, - - -                          | 80      | is | 4 80     |
| Piling, - - -                               | 18½     | is | 1 12½    |
| Cordage, - - -                              | 6       | is | 36       |
|   | \$6 79  |    | \$40 78½ |
| 2 cords of hickory wood, at -               | \$6 75  | is | \$13 50  |
| Hauling, at - - -                           | 50      | is | 1 00     |
| Two sawings, - - -                          | 1 00    | is | 2 00     |
| Piling, at - - -                            | 18½     | is | 37½      |
| Cordage, at - - -                           | 6       | is | 12       |
|   | \$8 43½ |    | \$57 78  |

| <i>Estimate of Coal for the same.</i> |         |               |         |
|---------------------------------------|---------|---------------|---------|
| Sept. 1st.—Four tons of coal, at      |         |               |         |
|                                       | \$6 50  | delivered, is | \$26 00 |
| Breaking and putting in, 37½          |         | is            | 1 50    |
|                                       | \$6 87½ |               | \$27 50 |
| Balance in favour of burning coal,    |         |               | \$30 28 |



## BOOKSELLERS.

*Catalogue of Booksellers in Pennsylvania, from the first settlement of the country to the commencement of the revolutionary war, in 1775.*

[From Thomas' "History of Printing,"]

## PHILADELPHIA.

1692. *William Bradford*,—sold pamphlets and other small articles.

1718. *Andrew Bradford*,—"sign of the Bible, in Second-Street." He was also a printer and binder.

1718. *John Copson*,—bookseller, but dealt chiefly in other goods; he was concerned with Andrew Bradford in the first newspaper which was published in Pennsylvania.

1729. *Benjamin Franklin*,—"in Market Street." He likewise was a printer and binder.

1741. *Alexander Annard*,—"in Second-Street, near the Church."

1742. *William Bradford*, the younger—"in Second Street."

1742. *John Barkley*,—"at the sign of the Bible in Second-street; from Great Britain.

1742. *James Reed*,—"next door to the Post-Office, in Market-street."

1742. *Joseph Goodwin*,—"in Second-street, near Black-Horse alley." He, afterward, removed into Black horse alley. Goodwin was from England, and was a bookseller, binder, and stationer. It appears that he was a considerable dealer.

1743. *Stephen Potts*,—"at the Bible and Crown, in Front-street."

1743. *J. Schuppey*,—"at the sign of the Book in Strawberry-alley;" he was a binder, and sold a few books. It is probable that he was a German.

1743. *Cornelia Bradford*,—"in Second-street."

1748. *David Hall*,—"in Market-street." He was a printer, and the partner of Franklin; he dealt largely in books and stationery.

1755. *Henry Sandy*,—"Lætitia Court."

1757. *William Dunlap*,—"in Market-street." Dunlap was bred to printing, which business he followed, but dealt somewhat extensively as a bookseller. About 1767 he removed to Virginia, and settled there as a minister of the church of England.

1758. *Black Harry*,—"in Lætitia Court," was a binder and sold small books, &c.

1759. *Andrew Stewart*,—"Lætitia Court;" but removed in 1762, to "the Bible-in-Heart, in Second-street." He was a printer and dealer in pamphlets.

1760. *James Rivington*,—"in Second-street," by his agent who became his partner in the following year.

1761. *Rivington & Brown*,—"in Second-street," but they some time after took another stand. They were both from England. Rivington soon after opened book-stores in New York and Boston; and resided in N. York.

1764. *William Sellers*,—"in Arch-street, between Second and Third streets;" he was a printer and bookseller, from England, and became the partner of David Hall.

1765. *Samuel Taylor*,—"Corner of Market and Water-streets."

1766. *John Dunlap*,—"in Market-street," succeeded to the printing and bookselling business of William Dunlap.

1766. *Robert Bell*,—"at the Union Library, in Third street," in 1770. He was from Ireland; became a printer, and was celebrated as a book auctioneer.

1766. *William Woodhouse*,—"in Front street, near Chesnut street;" afterward, "in Second-street;" he was a binder and bookseller.

1768. *John Sparhawk*,—"at the London Book-store, in Market-street;" afterward, at "the Unicorn and Mortar, in Second-street." He published several books.

1768. *John Anderton*,—"at the London Book-store, in Second-street." He was from England; and, was a binder, letter case and pocket book maker, and, as such,

first began business in New York. He sometimes advertised books for sale in his own name; and, at other times as connected with Sparhawk.

1768. *Roger Bowman*,—merchant, sold books on consignment from Great Britain.

1769. *Robert Aitken*,—commenced bookselling in Front-street; he was from Scotland, to which country he returned in 1770; but, in 1771, came back to Philadelphia, and opened a book store and printing house "in Market street."

1770. *Cruikshank & Collins*,—"in Third street," were a short time partners as printers and booksellers. Afterward,

*James Cruikshank*,—opened his printing house and a book-store in Market-street.

1770. *James Stewart*,—"in Second-street, between Chesnut and Walnut streets," from Glasgow, shopkeeper, sold Scotch editions on commission.

1770. *Semple & Buchanan*,—"in Front-street;" shopkeepers, from Scotland, sold Scotch editions on commission. Semple, afterward, sold books and British goods.

1771. *Robert MacGill*,—"Corner of Lætitia Court," binder and bookseller.

1771. *John MacGibbons*,—"in Front-street, between Arch and Race streets." Not largely in trade. He published Josephus' works in four volumes, octavo.

1771. *Samuel Dellap*,—"in Front street, between Market and Arch streets;" he kept a book and print shop.

1773. *James Young*,—"at his Book-Store, adjoining the London Coffee House."

1773. *Thomas MacGee, jr.*—"Second-street, nearly opposite Christ Church."

1773. *George Reinhold*,—"in Market-street," traded in Dutch books.

## GERMANTOWN.

1735. *Christopher Sover*,—from Germany, printed and sold books in the German language.

1744. *Christopher Sover, jr.*—succeeded to the business of his father.

## LANCASTER.

1754. *William Dunlap*,—printer and bookseller.—He removed to Philadelphia in 1757.

1767. *Charles Johnson*,—"in King-street."

## PENNSYLVANIA CANAL.

## IMPORTANT RESOLUTIONS.

At a meeting of the Board of Canal Commissioners, at Harrisburg, on the 3d day of October, 1829, the following resolutions were adopted:

*Resolved*, That the Board have the fullest confidence in the wisdom, justice and liberality of the legislature, and feel assured that ample provision will be made, at the earliest possible moment, to meet the engagements of the state in the prosecution of the public works authorized by law, and now under contract, and in progress of execution. It is therefore recommended to the acting commissioners and superintendents to prosecute the work upon their respective lines without remission.

*Resolved*, That it be recommended to the respective acting commissioners and superintendents to continue until the meeting of the legislature, on the first Tuesday in December next, to make the usual monthly estimates and to give to each contractor or person entitled to receive payment, a certificate of the amount due such person; which certificates shall be signed by the acting commissioners or superintendents, and countersigned by the clerks, on the respective divisions, except on the French Creek feeder, where, there being no clerk, the principal engineer shall countersign the certificates.

*Resolved*, That the respective acting commissioners and superintendents are hereby directed to make a return monthly to the auditor general, of the names of the persons to whom such certificates may be issued, with the amount and date of each.

*Whereas* there is good reason to believe that monied institutions or individuals, friendly to the internal improvement of the state, will loan sufficient funds to the Commonwealth to carry on the works on the Delaware division, Columbia rail-road, Juniata division, Susquehanna division, North Branch division, and French Creek feeder, if an assurance be given that the funds so loaned will be expended on those lines: and

*Whereas* the good of the Commonwealth and a regard for public opinion require that under existing circumstances, where money can be obtained to carry on any part of the public works projected by the legislature and desired by the people, it ought not to be refused: Therefore,

*Resolved*, That if ninety thousand dollars can be obtained on loan at five per cent. to be expended on the Delaware division, 45,000 dollars on the Philadelphia and Cumberland rail-road, 25,000 dollars for the Juniata division below Lewistown, 20,000 dollars for the Susquehanna division below Northumberland, 10,000 dollars for the North Branch division, and 6,000 dollars for the French Creek feeder, the proper authorities be requested to negotiate a loan for the aforesaid sums, or any of them, to be specially expended upon the divisions as above specified.

#### DICKINSON COLLEGE.

The annual Commencement of Dickinson College took place in the Presbyterian church, in Carlisle, on Wednesday, the 23d of September, in presence of a large and brilliant assemblage of citizens and strangers. After the delivery of the following addresses by some of the members of the graduating class, viz:—

Latin Salutatory, by Robert M'Lelland;

English do. by Philip N. Meade;

An Oration on the emancipation of the Catholics of Ireland, by Edward J. Lowry;

An Oration on the probable effects of the Colony at Liberia, by Samuel M'Cullough;

An Oration on the religious susceptibility of man, by Thomas A. Carothers;

An Oration on the perception of moral beauty, by Thomas Forster;

An Oration on the moral effects of the fine arts, by Isaac Van Bibber;

An Oration on the American character, by James H. Brady;

A poem on the signs of the times, by James F. Latta; the degree of Bachelor of Arts was conferred on the following 32 young gentlemen, viz:—Robert M'Lelland, John C. Spayd, Edward J. Lowry, Thomas A. Carothers, Thomas Forster, John C. M'Kinney, James H. Brady, James F. Latta, David Agnew, John R. Agnew, Joseph M. Briggs, Andrew B. Buchanan, Thomas K. Bull, James K. Davison, Lewis W. Foulke, Charles F. Himes, William I. Holmes, Edward C. Humes, Cyrus H. Jacobs, William C. M'Pherson, Heister H. Muhlenburg, Benjamin M. Nyce, John B. Patterson, James A. Slaymaker, of Pa.; Philip N. Meade, William F. Nelson, of Va.; Samuel M'Cullough, Isaac Van Bibber, William S. Davis, John A. Inglis, James C. Palmer, of Md.; Robert Birch, of N. Y.

The Valedictory was then delivered by William F. Nelson, and an appropriate address was made to the class by the principal, Dr. Neill. The Honorary degree of Master of Arts was conferred on the Rev. Alexander M'Farlane, of N. J. on the Rev. R. W. Cushman, of the Baptist Church of Philadelphia. The Alumnus degree of Master of Arts was conferred on the following alumni of College: George W. Buchanan, Henry L. Baugher, Lewis Eichelberger, William W. Gerhard, William N. Johnston, Adam Gilchrist, Robert J. Poulson.

At the close of the exercises, the president of the Board of Trustees announced that the board had elected the Rev. *Philip Lindsay*, President of the University of Tennessee, and formerly Professor in Princeton College, as principal of Dickinson College; and that

no interruption in the exercises of the College would take place. The large number of the class, and the great merit of their performance, combined, with other circumstances, to give the occasion unusual interest.

The next session of the College will commence on Wednesday the 28th of Oct. inst.

#### MISCELLANEOUS.

*Erratum*.—Owing to an accident after the proof sheets had passed the inspection of the Editor, a paragraph of four lines, in the last number, were placed at the bottom of the 1st column of page 214, which ought to have been at the top of the same page—our readers are desired to correct it. ED. RZA.

There was a sharp frost in this city and vicinity on Saturday night. On the 14th there was frost at Athens, Georgia. *Phil. paper, Sept. 29.*

DOYLESTOWN, Bucks Co. Sept. 21.

*Large Potatoe*.—We are informed that Mr. Jacob Edwards, of Northampton township, took from his patch, a few days ago, a potatoe which weighed two pounds and two ounces. We do not recollect of ever hearing of one so large before. Our potatoe crops are generally greater and the potatoes of a better quality this season, than for several preceding years.—*Intelligencer*.

A Squash was raised in the garden of Mr. John Weldy, Jr. at Reading, Pa. measuring 2 feet 7½ inches in length, and 2 feet 3 inches in circumference, and weighing 34 pounds. One quarter of a bushel of seed was taken from it.

*Sheep*.—A gentleman who resides in the neighbourhood of this city, has sold, during the present season, a flock of one hundred and eighty full blooded merino sheep, for the sum of 250 dollars. In the flock were 100 ewes, and 50 lambs.

The same gentleman in 1817, received five dollars a head for a flock of sheep, 90 in number, which were no way superior to those he has sold this year at the rate of \$1 38 cents a head.—*Phil. Gaz.*

BELLEFONTE, Sept. 22.

The healthiness of our town is somewhat remarkable. Since last March, there has not been a solitary death, with the exception of two Blacks, one in consequence of intemperance, and the other of a fever contracted in Lewistown. We do not believe that there is a town in the state, with any thing like the same population, can boast of less mortality. We have a pure and healthy atmosphere, and it is seldom, indeed, that epidemics, or endemics, of any kind prevail. In many other parts of the state, at this time, and for some time past, there has been a great deal of sickness, and in some parts, a frightful mortality. We cannot be too thankful that our town is an exception to all other towns, with regard to its general health.—*Patriot*.

The postage bill for the House of Representatives of this state, for the last session, amounting to \$4,588 00; and taking one third that amount for the Senate, we have an aggregate of \$6,117. *Har. Int.*

DIED, on the 20th August last, at the house of Peter Lukens, in Mooreland township, Montgomery Co. after a few days illness, Mrs. *Abigail Barnes*, relict of Robert Barnes, in the 100th year of her age. Her faculties were but little impaired. She walked about the house, and out of doors quite sprightly, but a few days before her death; could see to read, thread her needle, & sew without spectacles. She was remarkable for her cheerful temper and contented mind, which no doubt was one cause of her protracted life.

**Mount Carbon Rail Road.**—On Wednesday last, *W. R. Hopkins*, Esq. an able and experienced Engineer, arrived at this place, to take charge of the construction of the above road. He is now actively engaged in leveling and fixing upon the route. We understand the road will be graded this fall, and the rails laid early in the Spring.

**West Branch Rail Road.**—Last week the ground was broken to commence this improvement, and upwards of one hundred and fifty men are now engaged in grading the ground preparatory to laying the road. It will consist of two tracks—laid in a very substantial manner.

The road commences at Schuylkill Haven, and extends up to the confluence of the West and West West branches of the Schuylkill—from whence branches will follow the direction of the two streams to the foot of the Broad Mountain; making a distance, altogether, of about 17 miles. It is supposed that the whole route will be completed by the middle of next season.

At Schuylkill Haven, a beautiful town has been laid out by Mr. Daniel J Rhoads and others, who offer lots for sale on very accommodating terms.

The distance of the different rail roads completed, commenced, and contemplated, in this region, is as follows:—

|                              |          |
|------------------------------|----------|
| Schuylkill Valley Rail Road, | 10 miles |
| Mount Carbon do.             | 8        |
| Mill Creek do.               | 4        |
| West Branch do.              | 17       |
| Little Schuylkill do.        | 22       |

Making an aggregate distance of 61 miles

The estimate is independent of the numerous lateral roads that will branch off from the main tracks throughout almost every portion of the coal country.

If we can send to market this season 65,000 tons of coal, with our present crippled mode of conveyance to the landings, what quantity may the consumers expect from us next year, when the greater part of the above mighty engines will be put in force?—*Miner's Journal*.

**The Canal.**—Yesterday we understand the water was let into the Canal at the dam at North's Island, and about the middle of the day a boat with a number of passengers arrived and was hailed by the applause and shouts of a large concourse of citizens, who had assembled there to witness the novel scene. The boat passed on the aqueduct, where, we are informed, the water was let out into the river, after a full test that this section of the canal will answer every expectation, when completely finished.—*Perry Forrester, Oct. 1.*

#### *Juniata Rolling Mill and Nail Factory.*

This very extensive and well arranged establishment is situated on the north side of the Allegheny river, and on the east side of the Pennsylvania Canal. The proprietors are Messrs. James Anderson, Sylvanus Lothrop, and Henry Blake. The works are propelled by an admirable steam Engine of 110 horse power. When in full operation, the proprietors calculate to employ sixty hands. They expect to roll fifteen hundred tons of blooms into bar iron, boiler iron, sheet iron, &c. and to make four hundred tons of nails annually. To drive the engine will require about 450 to 500 bushels of coal daily, which will cost them three cents and a half per bushel at the works.

We were on Monday last, highly gratified in witnessing the first operation of this establishment in rolling a bar of iron from the bloom.—*Pittsburg.*

The Rev. Mr. Hoover was on Monday afternoon unanimously elected Pastor of the First Presbyterian church of Southwark, in German near Third street.

*Pennsylvania Hospital, Oct. 1st. 1829.*

Rain fallen during September 2. 01 inches.

A few days ago, while levelling one of the streets of Allegheny, the skeletons of four human beings were discovered near the outlet of the canal. The bones were perfectly sound. One of the four had been buried in a wooden coffin secured with iron nails, and had probably been a white man. The other three, from the ornaments discovered about them were no doubt Indians.—One of them appeared to have been a very large man; a gentleman, who measured a thigh bone, thinks not less than seven feet high. *Pittsburgh Gaz.*

**Auction Duties.** The following is the amounts of duties paid the last quarter by the undernamed auctioneers:

|              |         |
|--------------|---------|
| R. F. Allen, | 7310 46 |
| Jennings,    | 6678 16 |
| Gillingham,  | 5454 12 |
| Ford,        | 4300 07 |
| Graham,      | 2284 14 |
| Lippincott,  | 1695 44 |
| Richards,    | 880     |
| Thomas,      | 447     |
| Freeman,     | 297 17  |

#### **PORT OF PHILADELPHIA.**

*Inward for September 1829.*

| Where from.                | Ships.                 | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|----------------------------|------------------------|----------|--------|------------|---------|----------|
| Holland,                   | 1                      |          |        |            |         | 263      |
| England,                   | 4                      | 1        | 2      |            |         | 2474     |
| British West Indies,       |                        |          | 1      |            |         | 146      |
| British American Colonies, |                        |          | 3      | 8          |         | 1453     |
| Danish West Indies,        |                        |          | 1      | 1          |         | 253      |
| French Ports on Atlantic,  |                        |          | 1      | 1          |         | 345      |
| South America,             |                        |          | 8      | 1          |         | 1247     |
| Cuba,                      |                        |          | 3      |            |         | 438      |
| Hayti,                     |                        |          | 2      |            |         | 246      |
| Brazils,                   | 1                      |          | 1      |            |         | 666      |
| Malaga,                    |                        |          | 1      |            |         | 145      |
| Madeira,                   |                        |          | 1      |            |         | 165      |
| Gibraltar,                 |                        |          |        |            |         | 84       |
| Africa,                    |                        |          | 1      |            |         | 227      |
| Total,                     | 6                      | 1        | 25     | 12         |         | 8152     |
| Coastwise Inward,          | 92 vessels, 7626 tons. |          |        |            |         |          |

*Outward for September, 1829.*

| Where to.                  | Ships.                 | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|----------------------------|------------------------|----------|--------|------------|---------|----------|
| Hanse Towns,               |                        |          | 1      |            |         | 190      |
| England,                   | 1                      |          |        |            |         | 482      |
| Danish West Indies,        |                        |          | 3      |            |         | 426      |
| Swedish West Indies,       |                        |          | 2      |            |         | 369      |
| Dutch West Indies,         |                        |          | 1      |            |         | 123      |
| Dutch East Indies,         | 1                      |          |        |            |         | 290      |
| South America,             | 1                      |          | 1      | 2          |         | 692      |
| British American Colonies, |                        |          |        | 4          |         | 373      |
| Cuba,                      |                        |          | 2      | 2          |         | 480      |
| Total,                     | 3                      |          | 10     | 8          |         | 3424     |
| Coastwise, outward,        | 75 vessels, 8249 tons. |          |        |            |         |          |

*Aurora & Pa. Gaz.*

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EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 16. PHILADELPHIA, OCTOBER 17, 1829. NO. 94.

## BIOGRAPHICAL MEMOIR OF

### THE HON. EDWARD SHIPPEN, ESQ.

*Former Chief Justice of the Commonwealth of Pennsylvania.*

[From the Port Folio.]

When, in obedience to an irreversible decree of nature, a character of worth and eminence descends to the grave, the duties which devolve on his surviving associates are numerous and important. Of these duties, that is not the least sacred and pressing, which calls for a suitable tribute to the memory of the deceased, with a view to the perpetuation of his virtues and attainments, as honourable to himself and exemplary to others. For, to award the meed of a fair and well-earned posthumous fame, while it is nothing but an act of justice to the dead, operates on the living as one of the strongest incentives to virtue and excellence. It urges on to achievements of usefulness and of honour, from a conviction in the mind of the actor, that such achievements will be publicly passed to his credit, when he shall be slumbering in the silence of the tomb. Impressed by sentiments and actuated by considerations such as these, the writer of the present article has attempted to sketch a biographical memoir of the Honourable Edward Shippen, Esq. late Chief Justice of the Commonwealth of Pennsylvania. For, though not among the intimate friends and associates of the venerable deceased, he has long been an admirer of his conduct and character.

The subject of this memoir, like most of the distinguished personages of our country, was of British ancestry. He was born in the city of Philadelphia, on the sixteenth of February, 1729, the country being then in an infantile and colonial state.

His grandfather, William Shippen, had been a gentleman of fortune and family in the county of York—About the year 1675, his father, Edward Shippen, whose name he bore, emigrated to America, and settled first in Boston, in the (then) province of Massachusetts. Nor was it till about the year 1700 that he removed thence, led by the brightening prosperity and growing importance of Pennsylvania, to become an inhabitant of the city of Philadelphia. Of the general character of that gentleman, and of the sphere of respectability in which he was destined to move, we may form no inaccurate estimate, from the various places of honour, trust, and emolument, which it was shortly afterwards his fortune to fill. Among these places may be mentioned in particular, his successive appointments as a member of the proprietary and governor's council, a commissioner of the board of property, a judge of the provincial or general court, and the first mayor of the city of Philadelphia, in all of which he acquitted himself with fidelity and reputation.

A descent from a parentage so highly respectable, had, no doubt, a material and very auspicious influence on the generous and aspiring mind of a favourite son.—For to such a mind nothing can be an object of more darling ambition, than to maintain unsullied and undiminished, and even to swell by fresh acquisitions, the fair inheritance of ancestral fame.

Of the events of the early life of Edward Shippen, the worthy and distinguished subject of the present memoir, we know but little. Nor is this an object in any measure calculated to call forth our regret. To man-

kind at large the history of infancy is rarely either instructive or interesting, because the character of the man is seldom developed in that of the child. About the usual age we find him at the grammar-school, always conspicuous among his fellows for his attention to his studies, his respectful deference and submission to his preceptors, the engaging politeness and affability of his manners, and the propriety and decorum of his general deportment. With these invaluable attributes and qualities, thus early acquired, he could not fail of being regarded as a youth of ample promise. Nor was it his fortune, either now, or at any future period of his life, to fall short of the most flattering anticipations of his history, that the scholar, the gentleman, and the man of business, refinement, and taste, were most happily blended in the constitution of his character.

His elementary attainments being finished with reputation to himself and satisfaction to his friends, he commenced the study of the law, under the direction of Tench Francis, Esq. then attorney-general of the province of Pennsylvania. Having spent about two years in this situation, where the excellence of his opportunities of improvement was equalled only by the assiduity of his own attention, he, in the year 1748, repaired to London, with a view to the completion of his legal education in the Temple. Being a real American by attachment, no less than by birth, he felt now that the reputation of his native country was, to a certain extent, identified with his own. This consideration, awakening in his bosom the sentiments of a dignified and laudable pride, operated on him as an additional incentive to the acquisition of whatever was honorable, useful, or refined. He, accordingly, availed himself of every opportunity for the cultivation of his mind, his manners, and his taste. Nor did his efforts, as to those various attainments, prove abortive. For, in a short time, he ranked with the most accomplished of his fellow students and associates, as well in matters of exterior elegance, as in those of greater solidity and weight.

Having passed in London two years of industry and enterprise, in pursuit of the knowledge of letters and of law, he was admitted a barrister of the middle temple. On his return to Philadelphia, which took place shortly afterwards, he entered on the practice of his profession with the same application and zeal, that had manifested themselves in all his other pursuits. Here, as on former occasions, he was embosomed in circumstances peculiarly auspicious. The superior standing of his family and connexions gave him weight in society, and the well known excellence of his elementary and legal education, together with the elegance of his address and the popularity of his manners, conferred on him an equal degree of personal distinction.

With these advantages operating in favour of his persevering industry and attention, his professional progress could be neither slow nor doubtful. His prospects of speedy elevation were, perhaps, superior to any other young gentleman of his standing at the bar. We accordingly find, that, in a short time, business and reputation seemed to vie with each other in their struggle to approach him. We mean that adamant reputation which results from a correct and extensive knowledge, united to integrity of principle and solidity of judgment, not that brilliancy of fame, which nothing but the high-

est order of genius, breaking forth in an overwhelming eloquence, can bestow. For, though a perspicuous, pleasing, and even impressive speaker, he had no pretension to the character of a finished orator.

Mr. Shippen had been but a very short time engaged in the practice of law, when he received the most flattering testimony of the confidence reposed in his talents and integrity by the British cabinet. He had not yet completed his twenty-fourth year, when he was appointed Prothonotary of the Supreme Court of Pennsylvania, and Judge of the Court of Vice Admiralty for the same province. Besides several other places of honor, trust and emolument, which were conferred on him, he was appointed a member of the proprietary and governor's council, a body of men not fortuitously drawn together from the mass of population, but selected with care from among the most respectable characters of the province. These several offices, some of which he held during the term of nearly thirty years, he filled with ability and reputation at the commencement of the revolutionary war.

On the first occurrence of that gigantic struggle, which shook to its basis the whole fabric of civil society, all offices in the American colonies, issuing from the crown of Great Britain, were temporarily suspended, and, on the declaration of independence, they were immediately abolished. This measure, bold in itself, and worthy of a people daring to be free, swept from Mr. Shippen a very liberal income. For, with the abolition of the offices which he had hitherto held, the emoluments appertaining to them necessarily ceased. But his mind was of too firm a texture to be shattered by misfortune, and his spirit too buoyant to ebb into despair. Instead of taking an active part in the contest for freedom, he gave a preference to the walks of private life. Accordingly, while others were engaged in the deliberations of the senate, the arrangement of the cabinet, or the turmoils and dangers of the embattled field, he found content and pleasure in the bosom of retirement, and sufficient employment in the practice of his profession.

Soon after the close of the war of independence, when the wheels of civil society began to move afresh, he was appointed to preside in the Court of Quarter Sessions in the city and county of Philadelphia. He was also, about the same time, appointed president of the Court of Common Pleas for Philadelphia county. So faithful and with such ability did he discharge the duties attached to these several stations, that in the year 1791 he received the appointment of Judge, and, in 1799, that of Chief Justice of the Supreme Court of the Commonwealth of Pennsylvania. But his descent into the vale of years was already deep, for he had now numbered upwards of three score and ten. Placed in circumstances abundantly affluent, and feeling that the *otium vespers vite* was imperiously called for by his weary and declining faculties, he resigned the office of Chief Justice about the close of the year 1805, a few months previously to his death.

In his character as a Judge, the venerable subject of this memoir never forgot that justice should be tempered with clemency. When seated on the bench, he was patient in his attention, in his perceptions clear and discriminating, in his decisions upright and impartial, and in the delivery of his opinions and charges, concise, perspicuous, and not inelegant. In his official intercourse with the gentlemen of the bar, he maintained a firmness of character and dignity of deportment, mingled with such politeness and suavity of manners, as never failed to command their respect, and to conciliate, in the highest degree, their affections and esteem. If the cause of justice or humanity ever suffered in his presence, his heart and his will were strangers to the transaction. Even the delinquent who received from the Judge the chastisement of the law, was forced to acknowledge in the dispensation, the mildness of the law.

But it was in his private capacity that the virtues and

attributes of his character shone with the brightest and most amiable lustre. Possessed of Spartan uprightness and integrity, no species of dishonesty ever dared to approach him. Throughout the whole course of a life protracted far beyond the usual span, his personal reputation was unsullied with a stain. Yet were these sterner qualities, the natural safe guards of honor and virtue, blinded in exquisite and delightful harmony, with all the benevolent and social affections.

As a friend and companion, Mr. Shippen had but few equals. His heart was open, manly and sincere, alike free from the meanness of dissimulation and the canker of distrust. A cheerfulness of disposition, which nature seemed to have tempered in one of her happiest moments, a mind enriched with the beauties of polite literature and a sprightly playfulness of fancy and of wit, gave to his conversation peculiar charms. His presence was capable of taking from the social circle and the festive board their wonted sensibility to the movement of time.

But other occurrences in the character of Mr. Shippen of a tender and more endearing character, are yet to be mentioned. Nor, though altogether of a domestic nature, is an apology deemed necessary to the mind of sensibility, for introducing them into the present memoir. Early in life it was his good fortune to contract an affection for, and afterwards to marry, a daughter of Tench Francis, Esq. his preceptor in law, one of the most amiable and accomplished young ladies of the province. By this marriage he became at once the father and the idol of one of the worthiest and most promising of families—a family possessing every thing calculated to conciliate his affections, rivet his esteem, and even to awaken his paternal pride. But as several members of that family are still living, an ornament to society in this and a neighbouring city, a dread of doing violence to the delicacy of cultivated minds, restrains us from paying the tribute that is due.

In the bosom of that family, on the 16th of April 1806, sunk suddenly but gently into the embrace of death, their venerable father, at the patriarchal age of seventy-seven years and two months. C.

#### CANAL COMMISSIONERS' SECOND REPORT.

*Office of the Canal Commissioners, 2  
December 23d, 1826.*

SIR—Herewith, I have the honor to forward to your excellency, a report of the canal commissioners of Pennsylvania, made in obedience to the eighth section of the act of 11th April, 1825.

With great respect, your most obedient servant,  
WM. DARLINGTON,  
President of the board of canal commissioners of Pennsylvania.

*To his Excellency John Andrew Shultz,  
Governor of Pennsylvania.*

The canal commissioners of Pennsylvania, in obedience to the act of 11th April, 1825, respectfully submit the following report:—

The duties of the board are naturally arranged under two distinct heads, namely—the survey and examination of canal routes, as prescribed by the act of 11th April, 1825; and the location and construction of canals, under the act of the last session of the legislature, for the commencement of “the Pennsylvania canal.”

It will be remembered, that the operations of the board under the first named law during the session of 1825, were intended only to determine the practicability of a water communication between the Susquehanna and Ohio.—The result of these enquiries was communicated to the legislature; but from causes then stated, and beyond the controul of the commissioners, they were necessarily imperfect. To supply such deficiencies, and, as far as possible, to examine the other routes, pointed out by law, have been the objects of the board, in its surveys of the last season. The surveys are as follows:

1st. A survey of the northern route, by the Susquehanna West branch, Sinnemahoning, Clarion river and Allegheny, from the mouth of the Juniata to the mouth of the Kiskiminetas, under the direction of Judge Geddes, assisted by William W. Ison, Esq.

2. A survey of the Allegheny river, from the mouth of the Kiskiminetas to that of the French creek, with a view to the connection with Lake Erie, by the same gentlemen.

3d. A survey of the Juniata route, from the mouth of the Juniata to that of the Kiskiminetas, by Canvass White, Esq. assisted by Mr. O'mstead.

4th. A survey of the North branch of the Susquehanna, from Northumberland to the New York line, by Mr. Bennet, of Luzerne county, under the immediate superintendence of Judge Scott, a member of the board.

5th. A survey of routes, through Cumberland and Franklin counties, to the Potomac river, and by the Conococheague or Monocasey and Conewago, to the Susquehanna, by John Mitchell, Esq. of Centre county.

All these surveys and examinations have been performed, according to the instructions of the board, and of the last, a satisfactory report has been received. But owing to the great length of line entrusted to Judge Geddes, and the sickness of Mr. White, and most of his party for a portion of the season; these gentlemen have not yet had time to prepare the estimates, and furnish the drafts required. Mr. Bennet is still confined to his bed, by a fever, contracted while in the service of the board; so that no official account of his operations has yet been forwarded.

From these remarks, it will be perceived, that as to four of the surveys enumerated, the board have not yet materials for a satisfactory report. But as the 8th section of the act of 1825, is construed to require such a communication, within thirty days after each meeting of the legislature, and as within that period, existing deficiencies may not probably be supplied, they have deemed it advisable to make, at this time, a report of their proceedings, under the act for commencing the Pennsylvania canal, and to rely upon the indulgence of the legislature, until the other interesting subjects confided to their care, shall be completed and matured.

By reference to the act of 11th of April, 1825 it will be seen that two routes mentioned therein have not yet received the attention of the board, namely—that the route from Philadelphia, through Lancaster and Chester counties to the Susquehanna, and the one to connect the line of the proposed Chesapeake and Ohio canal with the Juniata route. The board have postponed these examinations with a view to economy in their expenditure of the public money. The chief value of either, must depend upon the execution of other objects, which are not yet decided on; and there will be ample time for making these surveys, when the great works alluded to, shall have been actively commenced.

Without further remarks, the board pass to a statement of their proceeding, under the act of 25th February, 1826, for the commencement of the Pennsylvania canal.

In pursuance of the act, General Abner Lacock and Charles Mowry, Esq. have been appointed acting commissioners, and have performed the duties prescribed by law, the former on the western, and the latter on the eastern division of the canal.

On the 10th March, 1826, William Strickland, Esq., of Philadelphia, was employed as engineer, in the service of the board, and was directed forthwith, to commence the location of a canal from the river Swatara. On the 17th of May, Mr. Strickland reported to the board, then in session, at Harrisburg, his plan for the work, accompanied by proper profiles, drafts and estimates, all of which are herewith presented. The plan was approved, except as to the place and mode of taking water from the Susquehanna, which were deemed to involve questions of too much importance to be hastily decided, and were accordingly postponed to a future meeting of

the board, to allow time for additional scrutiny and advice. In the mean while, proposals for contracts were directed to be issued, according to law, and the engineer was instructed to prepare the line for active operation.

On the 15th of June, the board again met in Harrisburg, and at the suggestion of Mr. Roberts, the engineer of the western division, whose presence and counsel had been requested, determined on lower Foster's reef, near the lower end of Peter's mountain, as the point for taking the water from the river. They determined, also, to avoid a dam in the Susquehanna, as proposed by Mr. Strickland; by sinking the upper level of the canal, four feet and a half below the surface of the river, at its lowest stage. With these alterations, the location of Mr. Strickland was approved, and on the 11th of June, received the sanction of the Governor. The general dimensions of the canal were fixed as follows:

|                          |          |
|--------------------------|----------|
| Width at the water line, | 40 feet. |
| Width at bottom,         | 28 feet. |
| Depth,                   | 4 feet.  |

For reasons however, which will appear hereafter, that portion of the canal from Harrisburg to the mouth of the Juniata, was directed to be made three feet wider at the top and bottom, six inches deeper, and to have a descent of one inch and a half to the mile. The size of locks for this division, was fixed at 17 feet in width, and 90 feet in length, within the chamber.

The whole length of this division of the canal is twenty two miles and a half, with seven lift locks, one guard lock and one regulating lock; and the expense, as originally estimated by Mr. Strickland, 405,511 dollars. A large portion of the ground through which it passes, is highly favorable; but serious obstacles exist at Kittatiny, Peter's and Short mountains, which serve greatly to swell the expense. In the beginning of July, thirty days notice having been given, according to law, the line was let out to contractors upon terms very favorable to the commonwealth, and considerably within the estimate of the engineer. In some cases however, they proved to be ruinously low, and abandonments have been the consequence.

The contractors began to assemble with their workmen, early in August. Since that time the greatest activity has prevailed along the whole line. For particulars of the progress and present state of the work, the board refer to the reports of the acting commissioner and engineer, hereto annexed. From these reports it appears, that some sections of the canal are nearly completed—and that about one third of the whole excavation has been accomplished. It appears also, that the work done on this division up to the 2d December, 1826, cost 46,517 dollars 13 cents, and the sum requisite for its completion, is estimated at 296,400 dollars. It will be seen too, from the report of Mr. Strickland, that the point and mode of taking water from the Susquehanna, have become subjects of reconsideration. Fortunately, this part of the work is yet in such a state as to admit of alteration, if the board shall think it necessary, without additional expense. A letter from Mr. White, proposing a plan analogous to that of Mr. Strickland, is annexed hereto, by way of illustration.

To that portion of Mr. Mowry's report, which relates to the assessment of damages, the board will invite special attention. Some change in the existing law is indispensable, to guard the interests of the commonwealth. Upon the compromises reported, by him, they would remark, that his agreements with Hise and Lowman, for a lot of ground, and with George Parson, for a barn destroyed, have been finally confirmed, and the others postponed for further consideration.

In connexion with this subject, a brief account may properly be given of the negotiations attempted by the board, under the directions of the legislature, with the Harrisburg canal, fire insurance and water company.—By an act of 25th February last, the canal commissioners were authorised, "to agree with the company for taking water from the canal for supplying the board,



rough of Harrisburg with water, and for propelling machinery," if it could be done without disadvantage to the commonwealth; and by act of April 5th the period for making such agreement, was limited to the first June following.

The board entered upon this duty in a spirit of accommodation, and with the sincere hope that all difficulties might be adjusted, without committing the interests of the state, or materially impairing those of the Harrisburg company.

Notice was accordingly given, to the president of that company, that the board would assemble in Harrisburg, on the 17th May, with a view to this object. The board having organized, its first act was to propose a conference with the managers of the company. The proposal was accepted, and a negotiation continued, partly in writing and partly by conference, until the evening of the 19th, when a letter was received from the president of the company, explicitly declining any further communication. During this interval the board made every advance, that could possibly be reconciled with their sense of duty, and having done all in their power, without success, considered themselves relieved from any responsibility. They resolved, nevertheless, that the borough of Harrisburg, should be accommodated, as far as practicable, without injury to the public. When, therefore, the route of the canal was finally located, and its dimensions fixed, an increased size was given to the upper portion, in order that surplus water might be afforded for the use of the borough, and for propelling machinery, at some future time. It was believed that the sale of water rights, upon moderate terms, would more than repay the additional expense, while it would promote the prosperity of the town, and add materially to the comfort of its inhabitants. The views of the board, on this head, have undergone no change; and they look with confidence to the legislature for a confirmation of the plan, by giving them power to dispose of water rights, and to purchase on behalf of the state, such small portions of land, adjoining the canal, as may be necessary for that purpose.

On the 5th of April last, the board succeeded in obtaining the services of Nathan S. Roberts, Esq. an experienced engineer from the New York canal. He was instructed to proceed forthwith to Pittsburg, and to locate the line of canal from thence to the Kiskiminnetas. Mr. Roberts began his operations on the Monongahela at the foot of Liberty street, in the city, and continued them with much activity, a distance of seventeen miles, up the east side of the Allegheny river. He then communicated to the board the result of his examinations, expressing an opinion that a canal, on the east side, would be very expensive, and asking to be informed whether his instructions would justify an examination on the opposite bank. In reply he was directed to examine both sides with the utmost care, and to furnish such an estimate of each as would enable the board to decide between them. This was accordingly done; and from Mr. Roberts' report, it appeared that a canal, on the east side, would cost the sum of 661,951 dolls. 51 cents—that it must be in danger of destruction from floods, and hill slips, and was in some places almost impracticable. From the same report it appeared that the expense of a canal, on the west side, from the mouth of the Kiskiminnetas, to end in the Allegheny river, opposite Pittsburg, would be 296,122 dollars—that the ground was, for the most part, favorable, and free from the obstacles so formidably presented on the eastern side.

This report was laid before the board, at their meeting in Harrisburg, in the month of June. The contrast as presented between the two sides of the river, could have left no doubt which to select, but for a remonstrance against a location on the western side, by two gentlemen, who appeared as representatives of the citizens of Pittsburg. They contended, before the board, that by the terms of the law, the canal must commence within the chartered limits of the city of Pittsburg—that

to begin on the opposite side of the Allegheny river, beside violating the law, would be a serious blow to the welfare of their city; and that even should the western side be preferred for a portion of the route, the canal must cross by an aqueduct, rather than commence elsewhere than in the city. They urged, also, the expediency of a location on the eastern side, for the whole distance.

The board listened to these suggestions with an interest proportioned to the magnitude of the subject; and with the utmost anxiety to protect and advance the prosperity of Pittsburg. After repeated conferences with their engineer, and mature deliberation upon the facts before them, it was their unanimous opinion, that the difficulties of the eastern shore precluded the hope of a canal on that side, within such limits of expense as ought to be incurred, thus leaving the simple alternative of following the west bank all the way, or crossing from the east side at a point below its most serious impediments.

Upon this alternative they were not disposed hastily to decide, nor did they deem a decision proper until further time for reflection, and an opportunity of examining the ground had been afforded them. They resolved, therefore, to locate the canal from the mouth of the Kiskiminnetas to that of Pine creek, about five miles above Pittsburg, (the latter point being agreed upon as most favorable for an aqueduct,) and to leave the remaining part of the distance for determination at their next meeting. This partial location was accordingly made by resolution on the 19th of June, and on the same day received the sanction of the governor. An advertisement for contracts was also directed to be made for that portion of the line thus definitively fixed.

On the 3d of August the board met at Pittsburg, expressly to determine the interesting questions pending in that quarter. That no professional aid, within their reach, might be wanting, Mr. Strickland was directed to repair to the spot, and the services of Major Douglass, professor of engineering at the United States military academy were also engaged. As an indispensable preliminary, the board, accompanied by Mr. Roberts, and by the gentleman last named, ascended the Allegheny to the mouth of the Kiskiminnetas, taking such a view of both sides of the river as served to inform them of the comparative difficulties. On their return, a committee of the citizens of Pittsburg was received to a conference with the board, who stated at large their views of the subject. These views differed from those presented by the former committee on one material point. The plan of an aqueduct over the Allegheny was strenuously opposed, and a location on the eastern side, to the exclusion of all others, and for the whole distance, as strenuously insisted on.

Having thus heard the opinions and wishes of the citizens of Pittsburg, as expressed by their committee, the board directed the engineers present to confer on the subject, and to report either jointly or severally, as they might agree. Major Douglass and Mr. Strickland, accordingly furnished a joint report, a copy of which is annexed hereto. Its substance is—1st. That a canal on the east side would be attended with great and serious difficulty; but that in their opinion it is not impracticable. 2d. That the expense of such a canal would probably equal Mr. Roberts' estimate. 3d. That for facility of execution, and safety when made, a location on the west side, for the whole distance, would be decidedly preferable. 4th. That an aqueduct over the Allegheny, constructed within a reasonable limit of expense, would not, in their opinion, be permanently safe; and finally, as a consequence of this last position, that they would prefer a location on the eastern side, for the whole distance, to one which should require the employment of an aqueduct.

Mr. Roberts, in his separate report, adhered to the view he had formerly taken, and recommended the adoption of the western side for the whole distance. He

annexed to it an estimate of such an aqueduct, as he deemed sufficient for conveying a feeder across the Allegheny, above the mouth of the Kiskiminetas which he fixed at 72,000 dolls., leaving a difference of 291,000 dollars between the route proposed by him, (including the aqueduct,) and that on the eastern side.

Amid such a conflict of opinions, it became necessary for the board to decide, and they approached this part of their duty with a deep sense of responsibility to the public, as well as to the community most immediately interested.

It was the opinion of a majority of the board that the obstacles on the eastern side were too serious to be encountered; that the canal ought, if possible to terminate in the Monongahela river, within the city of Pittsburg; and consequently, that it must cross the Allegheny, by an aqueduct at Pine creek. They did not doubt, that a location on the western side, for the whole distance, would be safer and more economical. But they thought, the great importance of Pittsburg, as a member of the commonwealth; and the universal interest felt in its welfare, would justify the expense of an aqueduct, for its accommodation.

This question was no sooner disposed of, than another not less difficult, arose. A doubt was suggested, whether the board had power, to pass the canal at pleasure through the city, so as to enter the Monongahela, at the point most convenient to the inhabitants, especially as much additional expense must be the consequence, without material advantage, to the public at large. The choice of routes, for this purpose, and the exact point of termination, must at all events be governed, by the probable damage to be occasioned to private property, and the probable extent to which releases could be expected. And it followed, that until the latter points were ascertained, with some degree of certainty, it would be hazardous to locate, beyond the city line.

From a combination of these views and opinions, resulted a resolution of the board, on the 9th of August, directing the canal, from the end of the location formerly made, to be passed by an aqueduct, across the Allegheny river, and thence to the line of the city of Pittsburg, upon such a level as to admit of being conducted, ultimately, either into the Allegheny or Monongahela, or both. This location has since been made, and on the 4th day of September, was approved by the governor.

At a subsequent meeting of the board, held at Philadelphia, in September last, this subject was again discussed, on the question whether the portion last located, should be advertised for contracts. There was yet no certainty, that the object of the board, in crossing the river, could be fully accomplished. That object had been the accommodation of Pittsburg, by ending the canal, at the steam boat harbor of the Monongahela, instead of ending it in the Allegheny. For it was not supposed, that if the canal were to terminate in the Allegheny, the convenience of the city would be promoted, by crossing the river, in any degree proportioned to the increase of expense. Until, therefore, the practicability of reaching the Monongahela, at a reasonable cost, were satisfactorily determined, it would have been unwise to execute an expensive work, which in one event, must be comparatively useless. The board were still less disposed to incur such hazard, from a knowledge, that their decision had not been satisfactory to the people of Pittsburg, and that a false step must expose them to censure from the public, unrelieved by the consolation of having gratified those for whose advantage it had been designed.

It was determined, therefore, to suspend the execution of this part of the work; and the acting commissioner was instructed to ascertain what proportion of land owners, on the several routes through the city, designated by the engineer, would probably release their claims to damages. He now informs the board, that he promptly furnished a copy of his instructions to the

committee of the citizens of Pittsburg and requested their assistance; but that thus far he has received from them no certain information, nor has he been able to obtain any, by his own exertions—so that the board is left in the same situation, and with as few materials for a correct decision, as when the canal was first located to the city line.

From all this it will appear, that the important questions are yet undecided, and will claim at an early day, the attention of the board. Shall the late location be adhered to? and if so, at what point, shall it join the waters of the Ohio? or shall the location be rescinded, and a new one adopted, on the western side?

This embarrassment, sufficiently perplexing in itself, and perhaps involving most important interests, is increased in difficulty, by differences of opinion among intelligent men, as to the meaning of the law, from which alone the commissioners derive their authority. The board has not doubted its power to conduct the canal through the city of Pittsburg, nor that a canal on the western side, from a point opposite that city, to the mouth of the Kiskiminetas, would fall within the terms and spirit of the act of assembly. If an immediate decision upon these points, were required by the interests of the public, they would not deem it proper, to wait for assistance from the legislature, in the way of explanation. But as doubts have been expressed by individuals, whose opinions they respect, as to the power of the board, on both these questions; and as the conducting of the canal through the city, must be attended with serious expense, perhaps not contemplated, by the framers of the law, they have deemed it prudent to lay before the legislature this exposition in order, that any misapprehension of the meaning of the act, or the power of the board, may be promptly corrected, by competent authority. Should the legislature think proper, to interpose their commands, it is respectfully hoped, that they will either define, with exactness, what they expect from the board, or give them a discretionary power not liable to be abridged, or doubted by construction.

In detailing their proceedings, on the western division of the Pennsylvania canal, the board have purposely departed from exact chronological order. They deemed it an object of primary importance, that the interesting question, which has caused to them, so much anxious thought, and has so seriously agitated the great western emporium of the state, should be presented to the legislature, at a single view. If they have succeeded, in so explaining the facts that the public may understand, and justly appreciate them, their object is accomplished.—Resting with confidence on the decision of a tribunal, which only errs when information is withheld, they return without further remark, to a history, of that portion of the line, which is positively determined.

In connection with his report, upon the location of the main canal, in the month of June, Mr. Roberts reported the plan of a feeder, to commence at the Kiskiminetas, about nine miles above its mouth, and passing down its northern bank, to cross the Allegheny river, by an aqueduct, at the head of the main canal. The line of this feeder has been run, and its practicability fully ascertained; but for obvious reasons, it has not yet been put under contract. The question is yet to be decided, by a paramount authority, whether this feeder shall be a part of the greater communication from east to west, or shall be adapted merely to the purpose for which the Board at present is competent to provide. Upon the decision of this question, preliminaries indispensable to the making of contracts, depend.

It is proper here to remark, that the aqueduct necessary to convey a feeder across the Allegheny river, has no bearing upon the question of location on the eastern or western side. In either case the canal must derive its supply from the water of the Kiskiminetas, brought by a feeder from a considerable distance up that stream. Should the Juniata route be adopted hereafter, this feeder must become a part of the great communication from

east to west; and in a different event, will probably be continued some miles higher, in order to accommodate the valuable and increasing trade of the Conemaugh. — Keeping in view these two important objects, it can only be constructed on the north bank of the Kiskiminetas, and consequently, had the eastern side of the Allegheny been preferred for the canal located this year, the water for its supply must have crossed the Kiskiminetas, on an aqueduct at its mouth where its width differs but a few feet, from that of the Allegheny.

About the middle of August, regular notice having been given, the line of canal from Kiskiminetas to Pine creek, was let out to contractors upon terms more favourable than could have been anticipated, and considerably below the Engineer's estimate. Early in September the work was begun, and has advanced since that time with great activity. The reports of the acting commissioners and engineer for this division, are hereto annexed, and will furnish the requisite information, as to its progress and present situation. It appears that 288,192 cubic yards of earth, and 5,869 of rock have been excavated, and that 5,568 cubic feet of embankment have been made, besides considerable steps towards the erection of culverts aqueducts; locks and bridges. The feeder aqueduct over the Allegheny, heretofore spoken of, has been contracted for at \$70,000, and is now in train for rapid execution. The exact cost of the work already performed, does not appear by the report of the acting commissioner. This may be set down at \$40,000, and it is estimated, that the further sum of \$822,061 14 will be necessary to complete the line, now under contract, namely—

|   |             |
|---|-------------|
| For excavation                                    | \$96,967 93 |
| For locks, culverts and small aqueducts,          | 50,044 21   |
| For the large feeder aqueduct over the Allegheny, | 70,000 00   |
| For bridges,                                      | 5,045 00    |

\$822,061 14

If the canal shall hereafter cross the Allegheny, at Pine creek, a sum not less than \$85,000 must be allowed for the aqueduct, and the further sum of \$46,946 62 for the remaining distance, between the end of the aqueduct, and the termination at Pittsburg, according to the late estimate of Mr. Roberts. So that the whole sum, yet required for this division of the canal, according to its present location, exclusive of damages to private property, not yet ascertained, is \$354,007 76. If, on the contrary, the present location be rescinded, and the canal continued down the west side, so as to end in the Allegheny, opposite Pittsburg, the \$85,000 will be saved, and \$55,407 36, must be added, for the distance between Pine creek and Pittsburg, making the whole estimated cost yet to be incurred \$277,468 50. The length of line now under contract on the western division is 24 miles and seven chains, with 36 feet lockage, distributed among five locks. The total fall from the top of the aqueduct at the Kiskiminetas, to the bottom of the river at Pittsburg, is 81 feet, so that 45 additional feet of lockage will be required to complete the communication. The remaining distance by the eastern side, is 5 miles 33 chains, that on the western side, 5 miles and 52 chains.

Besides the construction of the two lines of canal already spoken of, the act of 25th February, 1826, directs the Board, "as soon as they shall deem it expedient and practicable, to construct a navigable feeder of a canal from French creek, to the summit level, at Conneaut Lake, sufficient to convey at least two hundred and twenty one cubic feet of water per second, and to survey and locate the route of a canal from thence to lake Erie."

Considerable anxiety having been manifested by the inhabitants of the northwestern section of the state, that some steps should be taken towards the performance of this duty during the past season, the board determined to visit the Conneaut summit, as soon as their business

at Pittsburg was finished. The presence of Major Douglass, at that time, and his willingness to engage for a few weeks, in the service of the board, induced a resolution that the line of the French creek feeder should be surveyed, and its expense estimated, under his direction. Major Douglass embarked in this undertaking, with great zeal, and though retarded by the difficulty of procuring instruments, and collecting a party, at so short a notice, finished it to the satisfaction of the board, within the contemplated time.

A strict adherence to the distinction made between the duties of the board, at the commencement of this report, would lead at this time, to a particular account of Major Douglass' operations. But they partake of the character of preliminary surveys, and are moreover, intimately connected with others, which must be the subjects of a future communication, the board have deemed it most advisable to pass them for the present, and to include them in their general report of the examinations of the past season.

The board have now given a concise narrative of their proceedings, under the act of last session, for the commencement of the Pennsylvania canal. Whatever of detail may be necessary to fill up the sketch, will appear by the document annexed to this report. Facts have been stated without comment, and all speculations upon the policy or prospects of internal improvement in Pennsylvania, are intentionally avoided. At no very distant day the board hope to present such information as has been developed by the surveys of the past year; information which must in a great measure guide the decisions of the legislature. They, therefore, reserve all general observations for an opportunity, which seems to them, more strictly appropriate.

Before closing the present communication, it is thought proper officially to announce, that at the recent session in the city of Philadelphia, a letter was received from John Sergeant, Esq. tendering his resignation as president of the board. The ability and candor with which this gentleman has presided over the past operations, and the foreasting solicitude with which, even at the hurried moment of departure from his country, he dwelt upon the future, will be recollected by his colleagues, with gratitude and respect. Nor can the Commonwealth fail to derive essential advantages from his disinterested, preserving and judicious labours. His absence at this peculiar moment, is regarded as a serious misfortune, relieved indeed, by the hope, that he may return in time for the active operations of the ensuing year, and by the recollection, that the whole nation has now the benefit of services, of which the commonwealth is deprived.

The board have elected William Darlington, Esq. their president, in the room of Mr. Sergeant.

By order of the board,

WILLIAM DARLINGTON, Pres't.

JOSEPH M'ILVAINE, Sec'y.

Philadelphia, Dec. 11, 1826.

#### AMERICAN SILK—NO. XVI.

It is time to put an end to these essays. The favor with which they have been received has induced me to extend them further than I should otherwise have done. My object was only to show the superiority of American Silk over that of other countries, and to point out the best mode of employing it in a profitable manner. If I have succeeded in these respects in proving to the satisfaction of the reader, the assertions that I have made, my end is completely attained.

The culture of Silk has, from the first colonization of this country, more or less engaged the attention of the American people; and yet, nothing has resulted from it beyond the fabrication of an inferior kind of sewing silk, which can only be applied to domestic uses. Those who have written on the subject have in vain endeavoured to discover the causes of this failure. Br. Par-

calis (Practical Instructions, p. 26,) says, that it may be accounted for by circumstances independent of the climate; and so far he is right; but he does not specify what those circumstances are, reserving it for future numbers of his useful work. It appears to me that the whole can be referred to one single cause—the want of knowledge of the *art* to transform the produce of the American silk worm into a *saleable* article. The cocoons, it is well known, cannot cross the seas; if they are more than ten days on the water, they are liable to become mouldy; it is therefore necessary that the silk should be extracted from them, before it can be transported to the countries where it is manufactured. But that cannot be profitably done, without a perfect knowledge of the art of reeling it in the manner that is required abroad, to suit the different kinds of stuffs to be made out of it, and that art, simple as it may appear, requires much time and labour to acquire, in order to make the material fit for sale under the name of *raw silk*. And then it is not yet ready to go to the loom; but it must undergo four different preparations, which require a great deal of costly machinery, which has been partly described in the 12th and 15th numbers of these essays. So long at least, as the art of making exportable silk shall not have been introduced into this country, there will be no sufficient inducement for the American farmers seriously to attend to the culture of the silk worm.

The author whom I have just cited, and who wrote before these essays appeared, seems to have been well aware of the folly of employing the beautiful silk of this country in the manufacture of an inferior kind of sewing silk. "Why," says he, in the work above cited, p. 36, "is the best silk employed and turned into sewing silk, for which there is always waste or inferior silk enough; and why is not the best silk kept for the loom?" The answer is obvious—Because the people do not know how to prepare it in any other shape, so as to make it fit for sale. They extract from the cocoons the filaments with which they are covered, and call them *raw silk*; but nobody will purchase that article to be exported abroad, so that nothing remains but to convert it into *sewing silk*, which can only be disposed of in barter among country neighbours. But hear what the same author says again on this subject, in the prospectus of his *Silk Culturist*:—"The value and use of silk, as a *staple* or produce of the country, or as a *commercial article* of manufacture, cannot be well ascertained, save when there is a proper and certain scale, whereby to judge of its quantity and quality, then it becomes a *tangible capital*, readily disposable by those who possess it, and are acquainted with the call or demand for it, and where or how to barter for it."

I have thought it my duty to give credit to Dr. Pascalis for these very sound reflections, which, as he is not a practical man, and wrote before I suggested for the first time in these essays the plan of preparing raw silk as an article of foreign commerce, evince an uncommon degree of sagacity, and a mind accustomed to tracing effects to their proper causes.

The same gentleman, in a recent letter, informs me of a fact of which I was not aware, and which would tend to show that silk worms might be raised as well without artificial heat in the south of France as in this country. He says that above sixty years ago the peasants of the Cevennes raised more and better silk in their miserable huts, with broken panes, without fire and without thermometers, than the gentlemen and ladies of Toulouse, in their handsome apartments, well closed, and often hanged with tapestry, and warmed with good fires, in consequence of which a warm controversy arose between the respective partizans of the town and country methods. In order to put an end to it, the local government was obliged to permit an experiment to be made in a public garden, under tents, sheltered only from the wind and rain. It succeeded so well, that the possibility of raising silk worms without artificial heat was affirmatively decided. The doctor quotes as his

authority, the work of Archibald Stevenson, an Englishman, who made a report of these facts to the Royal Society of London. I have never seen that work, nor the report alluded to.

The learned doctor further states that the same thing took place in Italy, and that he is in possession of facts and documents to attest it. Then he asks why the method of Dandolo and Bonafous, with their thermometers, &c. has become so fashionable, and he answers, with great propriety, I think, that by those means it is thought that a greater quantity of silk is produced. Admitting that to be a fact, that method may be usefully followed in countries which, like Italy and the southern provinces of France, have a limited territory; but in this widely extended country, where, without artificial heat, the cocoons produce one third more silk than they do in Europe with all their thermometers and other artificial means, there seems to be no reason why those European methods should be adopted, at least for a considerable time.

Little more now remains for me to say. I have been asked what part of the United States I thought best suited for the establishment of silk manufactures, and particularly for the preparation of raw silk. I do not know enough of this country to answer this question comparatively. All I can say is, that I believe Philadelphia to be extremely well suited to that purpose: 1st, because it is essentially a manufacturing town; 2d, because of its vicinity to the great sea-ports of New York and Baltimore, and because it is itself well suited for foreign commerce; 3d, because I know by experience that this and the neighboring States are capable of producing excellent cocoons and beautiful silk; 4th, because of the lightness of the Schuylkill water, which quality, in reeling, greatly contributes to the beauty of the silk; and lastly, because of the tenderness of the leaf of the mulberry tree, greatly exceeding that of those of Europe; but this may not be peculiar to Pennsylvania and its vicinity.

As I was going to conclude, I have been credibly informed that samples of the silk produced by American cocoons have been shewn to some of the principal silk manufacturers at Lyons, in France, and that they have all admired its beauty, and expressed a wish to be supplied with it in the way of commerce. The only defect that was found was in the filature, which was not such as to suit the purpose of the manufacturers, and therefore they would not purchase it in that form.

I have said all, and a great deal more than it was my intention to say when I began these Essays. But the subject seems inexhaustible. Nevertheless, I perceive that it is time for me to conclude. I therefore take my respectful leave of the American public, to whom I have thought that the results of a long experience in practical arts which have never yet been introduced into this country, would not be unacceptable. If I have succeeded in pointing out in a sufficiently clear and satisfactory manner, a new and untrodden road to national wealth, and it has been my good fortune, by my simple statements, to convince the understandings of those to whom the essays are particularly addressed—I mean the men of enlarged minds, to whom the country looks up as their instructors and their guides in the thorny paths of national policy—I shall have cause to rejoice in the success of my boldness in thus intruding myself upon the attention of a great and enlightened people.

1st Oct. 1829.

J. D'HOMERGUE.

Chester, Penn. October 9.

*The Leiper Canal.*—This Canal, the work of our enterprising and public spirited fellow-citizen, George G. Leiper, Esq., was yesterday filled with water, and his new Canal Boat, the William Strickland, passed the whole line of canal, up to the quarry. The Volunteer Battalion of this county, with their band of music, and a band from the city, were informed, were present, to give life to the interesting scene.

## LAW CASE.

On the 113th page of our 3d vol. will be found the decision of the following case in the District Court of the U. S., and the charge of the learned Judge.

## CIRCUIT COURT OF THE UNITED STATES.

*April Sessions, 1829.*—WASHINGTON, Justice.

*Davis & Brooks vs. The Brig Seneca, Capt. Levely, part owner.*

This case came before this Court by appeal from the District Court, in which a petition was filed on the 4th of December last, by Davis & Brooks, merchants of the city of New York, stating that they were owners of one half of the brig Seneca, then lying in the port of Philadelphia, and that the remaining half part belonged to Capt. Henry Levely; that Capt. Levely had had possession of the brig for several months, having the sole control thereof, and had proceeded on certain voyages to the detriment and dissatisfaction of the late part owners, (from whom the brig was purchased by the petitioners,) and then again threatened to take the vessel to sea without the consent of the petitioners, and to their great detriment; the petitioners further stated that finding themselves in a very inconvenient situation by the conduct of Capt. Levely, they had repeatedly offered to sell their share to him at a reasonable price, or to purchase his share on sufficient terms, or to sell the entire vessel at a public sale, or to send her to sea with a master appointed by themselves; but that the said Captain Levely had obstinately refused to adopt either of these courses, and persisted in declaring that he would take the vessel to sea.

In consideration of these circumstances, the petitioners prayed an attachment against the vessel, and a citation to Capt. Levely to shew cause, why the court should not grant an order for the sale of the said vessel; or why the petitioners should not be permitted to send her to sea with a master appointed by themselves. The attachment and citation were granted—and after argument, the judge of the District Court (Judge Hopkinson) delivered an elaborate opinion against the authority of the court to order a sale of the vessel, and decreed that neither of the prayers of the petitioners could be granted and that the petition be dismissed.

From this decree the petitioners appealed. After the cause came into this Court, the appellants obtained leave to amend their petition, which amended petition, after repeating the various offers made by them to the respondent, as set forth in the original petition, and with more precision as to the last of them, states their offer that the brig should be sent to sea on a designated voyage, under the charge of a master to be agreed upon by both parties—all which offers were refused. That the respondent has obtained and now retains possession of the brig, in an illegal manner, and against the will of the petitioners,—that he has recently appointed a master to command her, without the assent of the petitioners, and now threatens to send her on a voyage under the person so appointed by himself, without their concurrence and against their consent, whereby they will be deprived of their moiety of the profits of the vessel. The prayer is, that the respondent may be restrained from taking or sending the brig to sea, and that a sale of the brig may be decreed, or that the petitioners may be permitted to send the vessel to sea on a voyage proposed by them.

The amended answer denies that the offers stated in the amended petition were made;—it states that the respondent proposed to the petitioners that she should be fitted out and employed, but that they refused to expend a dollar upon her, and would rather see her rot at the wharves than have any thing to do with her;—that the respondent then determined to fit her for sea; and after he had fully repaired her, at great expense, and was ready to proceed to sea, he was stopped by the process issued from the District Court;—he affirms that

it never was his intention to send her to sea under the command of the person mentioned in the petition, his determination being to command her himself on the projected voyage.

The new evidence taken in this Court tended to prove the following facts:

1. That the petitioners objected to incurring any expense for the repairs or outfit of the vessel for a voyage to be conducted by the respondent as her master.

2. That they expressed their willingness to take possession of the brig, and to employ her under a skilful master, and to give bonds to account for her earnings; or to sell their moiety of her to the respondent for 1500 dollars, as she stood, before she was repaired.

3. That they offered to the agent of the respondent, that the brig should go to sea under another master than the respondent, and that they sent on a person to take command of her; but possession of her was refused.—That a specific voyage to Wilmington, in North Carolina, was proposed by Henshaw, under whom the petitioners claimed, and who acted as the representative of the petitioners claiming a lien on the vessel.

After argument in this Court, by Messrs. Wharton and Sergeant for the appellants, and Messrs. Binney and Chauncey for the appellee, the opinion of the Court was pronounced by

WASHINGTON, J. The novelty, as well as the difficulty of this case, well entitled it to the labor, the talents, and the learning which have been bestowed upon it at the bar. It is not my intention to follow the counsel over the whole ground which they have so ably occupied, much less to express an opinion upon many of the topics which they have discussed. In the unsettled state of admiralty jurisdiction and admiralty law in the United States, I think it the safest course to advance step by step in deciding the many new, and often intricate questions to which those subjects may give rise. Influenced by this consideration, I shall confine my observations to the precise case before me; which, from the amended pleadings, and the new evidence exhibited in this Court, I find to be that of joint owners of a vessel, having equal interests in her, each willing and desirous to employ her in navigation, but upon his own terms, and neither willing to do so upon any other. The terms upon which the appellants desire it are, that she may be commanded by a master of their appointment, and, at all events, that Levely should not be that master. The appellee objects altogether to those terms, and claims to take her to sea under his sole command. It is manifest, therefore, that the difference between these owners, is not, whether the vessel shall be employed, but which of them shall be entitled to appoint the master; and, that upon this point, all prospect of compromise is hopeless. They do not differ, it is true, as to the destination of the vessel, because, until this preliminary matter of disagreement was adjusted, it was unnecessary for either to propose, or to discuss the expediency of any particular voyage. But I consider it to be entirely unimportant to the decision of this case, whether the subject of difference be the appointment of the master, or the particular destination of the vessel, if the consequence in either case, as to the employment of the vessel, must be the same.

In this state of things, the respondent, assuming to act as master, and insisting to undertake a voyage in opposition to the will, and to the equal rights of the other part owners, the latter applied by petition to the District Court to decree a sale of the joint property, or that they might be permitted to send the vessel to sea under a master of their own appointment. The important question presented by this petition was, had that court jurisdiction and authority to decree a sale, and a division of the proceeds?

As preliminary to the investigation of this question, I not only admit, but insist,

First, that the judicial power of the U. States under the constitution—and the jurisdiction of the District

Courts, under the 9th section of the judiciary act of 1789—embrace all cases of a *maritime nature*, whether they be particularly of admiralty cognizance or not.

Second, that this jurisdiction, and the law regulating its exercise, are to be sought for in the *general maritime law of nations*, and are not confined to that of England, or of any other particular maritime nation.

Lastly, that the present is a case of admiralty and maritime cognizance, since it involves a dispute between part-owners of a vessel, concerning the disposition and employment of her in navigating the sea.

But these positions, if they be correctly taken and admitted, overcome only a part of the difficulties which this case presents. We are still left to inquire, does this maritime law authorize a sale of the property in a case like the present? and where is that law to be found? For I cannot agree with the appellant's Counsel, that if the *Jurisdiction* of the Court be established, the *authority* follows as a corollary. The Circuit Courts of the United States have a common law jurisdiction in all the cases to which it is extended by the Constitution and Acts of Congress: but the rules by which they are authorised to decide on any given case, must be sought for in the law of the land.

Where then is the law applicable to this case to be found? Not in the practice, or adjudications, of the Admiralty Court of England. The case of *Ouston vs. Hebden*, 1 Wils. 101, and that of the *Apollo*, 1 Haggard, 305, are conclusive both against the jurisdiction and the authority of that Court.

We next pass to those great sources of maritime jurisprudence, the Rhodian law, and the laws of Oleron and Wisbury, in neither of which do we find any provision made for a case similar to the present.

Our attention is then invited to the civil law, or rather to the Roman marine code, another legitimate source of general maritime law; in which we find sundry wise provisions for adjusting disputes between part owners of vessels, from which the 3 following rules may be deduced.

1. That the opinion and decision of the majority in interest of the owners, concerning the employment of the vessel, is to govern, and therefore they may, on any probable design, freight out or send the ship to sea, though against the will of the minority.

2. But if the majority *refuse* to employ the vessel, though they cannot be compelled to it by the minority, neither can their refusal keep the vessel idle, to the injury of the minority or to the public detriment: & since in such a case the minority can neither employ her themselves nor force the majority to do so, the vessel may be valued and sold.

3. If the interests of the owners be *equal*, and they differ about the employment of the vessel, one half being in favor of employing her, and the other opposed to it, in that case the willing owner may send her out.

It is manifest that neither of these rules applies to the present case, in which there are no *unequal interests* and no *unwilling* owner, each being desirous, and equally so, to employ the vessel.

In the further prosecution of our inquiries, we are naturally lead to an examination of the marine code of France,—to those celebrated ordinances of Louis XIV. published to the maritime nations of Europe as early as the year 1681. The 5th and 6th articles of this code, cited and learnedly commented upon by Valin, p. 564, will alone be noticed. The former is substantially the same as the first rule of the Roman law, before referred to.—The latter is as follows:

"No person may constrain his partner to proceed to the public sale of a ship held in common, except the opinions of the owners be equally divided about the undertaking of some voyage."

There is certainly some ambiguity in the phraseology of this article, and, unexplained, it might be construed to mean no more than is expressed in the third rule of the Roman law before noticed, applying to owners having equal interests. But Valin leaves no

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room for doubt as to the true exposition of this article. In his first volume, page 585, he says: "The case excepted in this article is, when 'the opinions of the parties are equally divided on the undertaking of some voyage,' upon which we may remark, that the question is not of two equal opinions, of which one is to leave the vessel without any kind of voyage, and the other to undertake such or such a voyage, there being no doubt in that case that the opinion favourable to a voyage ought to prevail, saving the right to discuss the projected voyage; but solely, of the case of two opinions, equally divided upon the particular enterprise projected by one moiety of the persons interested, and rejected by the other moiety, whether that moiety proposes on its part another voyage, or confines itself to a disapproval of it, *provided, nevertheless, that it gives plausible reasons for its conduct*, otherwise this would have the air of an absolute refusal to permit the vessel to be navigated, which justice could not tolerate, being contrary to the object of the vessel, to the original intention of the parties, and to the interests of commerce."

This article, thus explained, embraces the present case, unless it could be successfully contended that there is a substantial difference between a disagreement respecting the particular voyage proposed and discussed, and the appointment of the master to conduct the voyage. The reason strikes me to be the same in the one case as in the other, and the consequence to the parties, to their original intention, to the object of the vessel, and to the interests of commerce, are precisely the same. In the one case as in the other, the vessel must remain unemployed, since neither owner can, otherwise than tortiously, send her to sea, against the will of the other. And were he to persist in doing so, is there no power in a Court possessed of general maritime jurisdiction, to restrain him? I am not prepared to admit so monstrous a legal solecism as the denial of this authority would seem to imply.

But the ordinance provides that the party objecting to the voyage must assign a plausible reason for his conduct, in order to repel a presumption that his objection is founded on an unwillingness to employ the vessel at all. And is it not more than a *plausible* reason for one owner to allege his equal right to employ the person to whose care his property is to be entrusted, and to object to the one selected by the other owner, upon the ground of his want of confidence in the skill or in the integrity of the person so selected? I am far from saying, or even believing, that, in point of fact, the objection to Captain Levely is well founded, since there is no proof in the cause to substantiate it; but if it be honestly entertained by the appellants, it is not for this Court to decide that it is futile, and merely urged as a pretext for detaining the vessel in port.

Having ascertained the true meaning of this article of the French marine ordinances, its authority, or the influence which it should have in deciding this cause, is next to be considered.

It is insisted by the counsel for the appellee, that this article is nothing more than a part of the local law of France, founded upon the Roman law of licitation, adopted by France, applicable to the partition of property, moveable and immoveable, which is held in common by two or more persons, which, without a sale, could not be otherwise conveniently divided between them; and, in support of this argument, it is remarked, that the expressions of the article are all negative, and must necessarily refer to some other code whenever the accepted case shall occur.

The ingenuity and the imposing appearance of this argument are freely acknowledged; but it will not, I think, bear a close examination. For, admitting the general law of licitation to have formed a part of the *local* law of France, it does not follow that an ordinance restraining and qualifying that law in cases, and in relation to subjects purely maritime in their nature, should likewise form a part of the local law of that country. It would rather seem that, on account of their maritime



character, it was deemed proper to withdraw such subjects from the local, for the purpose of incorporating them into the general marine code of the nation. That the 5th article is of this description, has not been questioned; it was no doubt copied from the Roman maritime code, which having also provided for cases of disputes between the owners of unequal interests, as well as between those having equal interests in *one event only*, it would seem as if the 6th article had been introduced for the purpose of perfecting the system, by affording a remedy, in *another event* for which the Roman law had made no provision. It is most obvious, in short, that Valin, as well as other jurists who have treated of these articles, have considered them, not as parts of the common, but of the maritime law of France, and we find provisions similar to them in principle introduced into the Code de Commerce of that country.

That the ordinances of Louis XIV. are not of binding authority upon the maritime courts of other countries, I freely admit; but as affording evidence of the general maritime law of nations, they have been respected by the maritime courts of all nations, and adopted by most, if not by all of them, on the continent of Europe. We are informed that this code was compiled from the prevailing maritime regulations of France, and of other nations, as well as from the experience of the most respectable commercial men of France. And why should not such parts of it as are purely of a general maritime character, which are adapted to the commercial state of this country, and are not inconsistent with the municipal regulations by which our courts are governed, be followed by the Courts of the United States in questions of a maritime nature? I leave this question to be answered by those who would restrain the admiralty jurisdiction of the District Court within the limits allowed by the Common Law Courts of England to be exercised by the High Court of Admiralty of that country.

And why, let me again ask, shall the 6th article of this code be rejected in the case now under consideration? Neither justice nor policy requires it. For it is manifest that the appellants must either surrender their property in this vessel, or rather the fruits of it, to the appellee, or their equal right to appoint the master, and to decide upon her destination, or that she must remain idle in port until the subject in dispute is totally lost to both the owners. There is no other imaginable alternative, unless it be the one which the appellants ask for. For if the appellee may now legally claim the right to take this vessel to sea, and, by giving security for her safe return, may take to himself, in exclusion of the other part owners, all the earnings of the voyage, his right to employ her, on the same terms, as long as she shall be in a condition to be navigated, will continue equally valid, and the exercise of it can no more be denied than now.

Suppose, for the purpose of further illustrating this part of the subject, these parties had filed cross petitions, setting forth the difference between them respecting the appointment of a master, and each praying to be permitted to take the vessel to sea under the usual stipulations, since neither could entitle himself to a preference, what could the Court do but dismiss both petitions, and thus leave the vessel unemployed; unprofitable to both parties and to the interests of commerce, and subject to all the injury to which such a state of things would expose her. Yet this is substantially the present case; and if the Court has no power to decree a sale, it is clear that neither of the parties can take the vessel to sea without a decree of the District Court authorising him to do so.

Upon the whole, considering the article of the French Code, which has so often been referred to, as constituting a part of the maritime laws of nations—that it is in itself a wise and equitable provision—that it is not inconsistent with the commercial state of this country, or with any law which should govern this Court, I feel myself not only at liberty, but bound to adopt and apply it

to the present case, and I shall therefore reverse the sentence of the District Court, and decree a sale of this vessel.

My opinion, I acknowledge, was very different when this cause was opened, from that which I now entertain. I had read that which was pronounced in the District Court by the learned judge of that Court, with an entire conviction of its correctness. But the new evidence which has been introduced in this Court, presents, in at least one most essential particular, a different case from that which was submitted to the view of that Court.

J. B.

### METEOROLOGICAL REGISTER.

*Taken at the State Capitol, Harrisburg, by WILLIAM MCGRAVE, Librarian.*

SEPTEMBER—1829.

| Thermometer.                 | Barometer.       | Days of the Month.       | Wind. |
|------------------------------|------------------|--------------------------|-------|
| Max 2d 79.1-3                | Max 18th 30.04   | 1, 6, 20, 21, 29,        | 5d SW |
| Min 17 52.2-3                | Min 25th 29.41   | 2,                       | 1 W   |
| Diff ex 26.2-3               | Diff of ex 00.63 | 3, 4, 15, 16, 22, 23, 28 | 7 NE  |
| Mean ex 66                   | Mean ex 29.72    | 5, 7, 8, 12, 27,         | 5 N   |
| Mean temp. from 3 daily obs. |                  | 9, 10, 11, 18,           | 4 NW  |
| Morning of the 28th Thermom. |                  | 13, 25,                  | 2 SE  |
| at 44.° the lowest.          | Noon of          | 14, 17, 19, 26, 30,      | 5 W   |
| the 2d, Thermom. at 88.° the |                  | 24,                      | 1 E   |
| highest.                     | Range 44.°       |                          |       |

| Days of the Month.              | Atmosphere.                |
|---------------------------------|----------------------------|
| 1, 3, 5, 8, 10, 11, 12, 19, 26, | 9 days clear.              |
| 2, 25,                          | 2 cloudy and showery.      |
| 4, 7, 9, 17, 18, 22, 27, 30,    | 8 part clear, part cloudy. |
| 6, 21, 24, 28,                  | 4 cloudy with thun. gust.  |
| 13, 14, 20,                     | 3 cloudy no rain.          |
| 15, 23, 29,                     | 3 light r. morn. cly. afr. |
| 16,                             | 1 steady rain all day.     |

Morning of 18th Barometer at 30.04, the highest.—Evening of the 25th—Barometer at 29.42, the lowest.—Range 62. The wind has been 10 days East of the meridian, 15 days West of it and 5 days North. This month has been 2° colder than September 1828, and 6° colder than last August. There have been only 5 days in this month, on which the temperature, at noon, arose to, or above summer heat. The greatest heats were on the 1st 2d 5th and 6th. The heaviest rains were on the 6th, 16th, 21st, and 28th. Once, or twice white frost was perceptible. **ÆROLITHS.**

The various opinions that have been advanced about Meteoric stones appear not only unsatisfactory but unphilosophical, for where proofs are wanting conjecture is useless. Before we admit Æroliths being projected from the moon beyond its own atmosphere, it is incumbent on philosophers to prove that any elastic force can repel a particle of matter belonging to the moon beyond its own atmosphere, that is, if it has an atmosphere. Also, to prove that the moon contains such substances as are found in the stones. Although it is supposed there are Volcanoes in the moon; Volcanoes produce nothing like them. They are not like obsidian, lava, pumice or the scoria found on, or near the burning Mounts of this globe. Nor will it do to say [notwithstanding the authority of great names] they have been fragments struck off from some star, or comet that has disappeared (more of this hereafter) for this would be ascribing imperfection to the works of the Deity. Rejecting such opinions, let us see whether we can from things already known, go upon surer ground to trace their origin. As the atmosphere contains scarcely any thing (solar light excepted) but what is of an earthly nature, and emanates from it, so the component parts of these stones are exactly such as are found in the earth; whosoever reads any work upon Chemistry will find all the terms made use of, to have a reference to some one or other of the substances taken from the earth. Of all the æroliths that have been analysed the products are nearly alike, and the greatest part seems to be Iron and Sulphur, although other sub-

stances be found in their composition. Sulphur we know to be a very volatile substance, and iron oxidizable; we need not be surprised at the magnitude of some æroliths, if we only consider the inconceivable quantity of iron dispersed over the surface of the earth, exposed to the action of the air and water and annually oxidized. In this comminuted state, when mixed with moisture it is carried up, by evaporation, into the atmosphere.—Sulphur by the action of the sun is volatilized and carried thither also. Such is the affinity between sulphur and metals, that it holds a place in all metallic ores, and may be termed one of the great mineralizers. These particles of iron and sulphur, as well as a variety of others daily rising from the earth are constantly floating in the air, and only want an agent to bring them within the limits of affinitive attraction, and that agent to all appearance is the electric fluid. These æroliths have never been known to fall without lightning and explosion—mostly in the time of a thunder storm—but the light proceeding from them, when observed with attention, appears of a different colour from that of other meteors, it is not so bright, but rather of a dull red, resembling hot iron, and in their flight have (like hot iron) a hissing sound. If red hot iron be rolled in loamy clay (in the manner smiths practice when welding) and be rubbed with roll brimstone, the iron will melt, the sulphur, the clay and the iron when in a state of fusion will all unite and form a compound not very unlike an ærolith; these fire balls, as they are called by some, during their flight are still descending and cooling, and by the time they reach the earth, are found to be hard, compact, solid bodies; some have been found not entirely cold. Agreeable to the established laws of attraction, these stones could not come from any star or planet, for instead of being drawn to the earth, they would have been drawn to the Sun by his more powerful attraction. It is no proof of a star being extinct, when invisible to us, nor is it any proof that the lately discovered planets are part of a new creation (as is supposed) from the fragments or remains of those which were once in existence, and of which æroliths were particles. The reasoning of Astronomers themselves refute such ideas. They tell us, that, when a comet is visible to us, and approaching the earth it turns round the sun as one of the foci of an ellipsis, now if it flies through every part of its orbit, for centuries with the rapidity assigned to it, where is the other focus? Does it belong to our solar system?—if it does, then only a small portion of the starry world is known to us, and those called new stars, may have been travelling on since the creation, while on the other hand, those supposed extinct, have gone off into boundless space, to assist, perhaps in illuminating other worlds, as stars brought newly into existence.

[Remarks to be continued.]

LEBANON, October 11, 1829.

“The Union Canal continues to be in fine order, and passing full loaded boats, notwithstanding the reports you mention. The difficulties which existed for a few days arose from causes incident to all works of this nature, and which no prudence or foresight could have prevented.

The lowness of the water, and obstructions in the Susquehanna, have prevented any boating upon that stream for several months, and hence we have experienced a deficiency of loading for boats passing to the east. The completing of the locks from the Union Canal into the river at Middletown, which is now nearly accomplished, and the finishing of the Pennsylvania Canal upon some of its most important lines, will hereafter, furnish the means of trade to the heart's content of the warmest friends of the Canal. Among the incidents which show the interests that are unexpectedly benefited by the canal, I may mention that the boat Samuel Mifflin loaded yesterday with merchandize, for Bainbridge, Lancaster County, a town about ten miles below Middletown, on the bank of the Susquehanna.”

## METEOROLOGICAL REGISTER,

SEPTEMBER, 1829—KEPT AT CHILISQUAQUE, BY J. P. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmosp. Variations. |         |
|------|------------|------|------|-------------|----|----|---------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.               | P. M.   |
| 1    | 29 5       | 29 5 | 29 5 | 74          | 80 | 80 | Clear               | Cloudy  |
| 2    | 29 4       | 29 4 | 29 3 | 72          | 80 | 82 | Clear               | Cloudy  |
| 3    | 29 6       | 29 6 | 29 6 | 59          | 64 | 67 | Clear               | Cloudy  |
| 4    | 29 7       | 29 7 | 29 7 | 52          | 65 | 69 | Sunshn.             | Clear   |
| 5    | 29 6       | 29 6 | 29 6 | 62          | 69 | 74 | Clear               | Clear   |
| 6    |            |      |      |             |    |    |                     |         |
| 7    | 29 4       | 29 4 | 29 4 | 59          | 63 | 67 | Sunshn.             | Clear   |
| 8    | 29 4       | 29 7 | 29 5 | 51          | 59 | 62 | Clear               | Clear   |
| 9    | 29 5       | 29 5 | 29 5 | 52          | 58 | 62 | Clear               | Sunshn. |
| 10   | 29 5       | 29 5 | 29 5 | 52          | 68 | 61 | Clear               | Cloudy  |
| 11   | 29 5       | 29 6 | 29 6 | 49          | 54 | 58 | Cloudy              | Clear   |
| 12   | 29 6       | 29 6 | 29 6 | 48          | 55 | 59 | Clear               | Clear   |
| 13   |            |      |      |             |    |    |                     |         |
| 14   | 29 6       | 29 6 | 29 5 | 59          | 64 | 68 | Cloudy              | Rain    |
| 15   | 29 5       | 29 5 | 29 5 | 57          | 59 | 61 | Cloudy              | Cloudy  |
| 16   | 29 5       | 29 5 | 29 5 | 49          | 57 | 63 | Rain                | Rain    |
| 17   | 29 7       | 29 7 | 29 7 | 50          | 58 | 60 | Clear               | Cloudy  |
| 18   | 29 5       | 29 9 | 29 9 | 48          | 58 | 62 | Clear               | Sunshn. |
| 19   | 29 9       | 29 9 | 29 9 | 48          | 58 | 63 | Clear               | Clear   |
| 20   |            |      |      |             |    |    |                     |         |
| 21   | 29 6       | 29 5 | 29 5 | 64          | 73 | 76 | Cloudy              | Cloudy  |
| 22   | 29 5       | 29 6 | 29 6 | 60          | 61 | 61 | Cloudy              | Clear   |
| 23   | 29 5       | 29 5 | 29 5 | 62          | 66 | 68 | Sunshn              | Cloudy  |
| 24   | 29 5       | 29 6 | 29 5 | 58          | 65 | 63 | Cloudy              | Cloudy  |
| 25   | 29 3       | 29 3 | 29 3 | 62          | 69 | 75 | Cloudy              | Rain    |
| 26   | 29 4       | 29 5 | 29 5 | 58          | 60 | 61 | Clear               | Clear   |
| 27   |            |      |      |             |    |    |                     |         |
| 28   | 29 7       | 29 7 | 29 8 | 46          | 55 | 57 | Clear               | Cloudy  |
| 29   | 29 4       | 29 4 | 29 4 | 47          | 60 | 68 | Rain                | Sunshn  |
| 30   | 29 4       | 29 4 | 29 4 | 60          | 62 | 64 | Sunshn.             | Rain    |
| 31   |            |      |      |             |    |    |                     |         |

## METEOROLOGICAL TABLE.

According to Fahrenheit, in the shade, temperature of the weather at Mauch Chunk was as follows during the time specified.

| Date. | Before 7 A. M. | Sunset. | Depth of min. | 12 | 37 | 63 | 56 |      |
|-------|----------------|---------|---------------|----|----|----|----|------|
|       |                |         |               | 13 | 38 | 63 | 62 |      |
| 1829. |                |         |               | 14 | 56 | 67 | 63 | .03  |
|       |                |         |               | 15 | 55 | 59 | 57 | .16  |
|       |                |         |               | 16 | 47 | 52 | 50 | .32  |
| Sept. |                |         |               | 17 | 46 | 61 | 55 |      |
|       |                |         |               | 18 | 35 | 62 | 58 |      |
|       |                |         |               | 19 | 39 | 63 | 58 |      |
|       |                |         |               | 20 | 50 | 62 | 63 | .04  |
|       |                |         |               | 21 | 59 | 78 | 73 | .05  |
|       |                |         |               | 22 | 60 | 64 | 59 | .04  |
|       |                |         |               | 23 | 50 | 69 | 69 |      |
|       |                |         |               | 24 | 43 | 63 | 62 |      |
|       |                |         |               | 25 | 56 | 64 | 70 | .54  |
|       |                |         |               | 26 | 44 | 63 | 55 |      |
|       |                |         |               | 27 | 39 | 56 | 50 |      |
|       |                |         |               | 28 | 28 | 56 | 56 | 1.25 |
|       |                |         |               | 29 | 49 | 56 | 66 | .06  |
|       |                |         |               | 30 | 43 | 66 | 59 | .01  |

Before 7—1418 is the number of degrees of the Thermometer during the month.

Days.

1418 ÷ 30 = 47 add before 7.

1933 ÷ 30 = 64 add at Noon.

1825 ÷ 30 = 60 add at Sunset.

3]171[57 Mean average per day, during September.

The quantity of Rain that fell, - - - 2.9

## EDUCATION IN PENNSYLVANIA.

At a semi-annual meeting of the Pennsylvania Society for the promotion of Public Schools, held at the Franklin Institute on Monday evening, Oct. 3, 1829, Roberts Vaux, Esq. President, took the chair, and A. H. Richards was Secretary.

The following Report from the Council was read and accepted.

*To the Pennsylvania Society for the Promotion of Public Schools.*

The Council respectfully reports: that since the last semi-annual communication it has been regretful of the trust devolved upon it by extending the correspondence—by acquiring, and communicating information, and as far as laid in its power, it has otherwise embraced every proper occasion to recommend the important objects of the Society to the notice of the people of this commonwealth. Many teachers of good moral characters and respectable abilities, have been instructed under its auspices in the knowledge of the monitorial system, and several of these, well qualified to discharge their duty, are employed in remote parts of the State, where education had been too much neglected. The efficiency, and economy of the Lancasterian method of tuition have gained the confidence, and approbation of the inhabitants of the towns, where it has been introduced, and there is every reason to believe, that the schools already established will prove nurseries of other teachers, and thus the opportunities for bestowing education with its attendant blessings, will be greatly multiplied in those parts.

Although the intention of this Society was originally confined to furnishing instructors on the monitorial plan, the Council has had applications from several places, to supply individuals qualified to teach in the higher branches; and as it is anxious to render any service for the promotion of useful knowledge, it will cheerfully comply with future requests of this character. Teachers of the description mentioned, who may be disposed to establish themselves in Pennsylvania, are invited to submit their testimonials to any member of the Council.

The Council, in the course of its deliberations, has been induced to believe, that much improvement might be made in school books, and that, if they could be afforded at more reasonable prices, the work of education would be thereby promoted. A committee has accordingly been appointed, to collect information on the subject of elementary treatises in the several departments of instruction, with a view to the adoption or preparation of suitable text books.

Notwithstanding the encouragement that has accompanied its labours, the council deeply laments that the want of the means of education and the consequent depressed condition of the youth in many districts of our otherwise favoured state, should be so glaring, and yet so little heeded.

To excite and diffuse a spirit which shall conquer the difficulties that now interpose to prevent the spread of useful learning, is surely the dictate of patriotism and philanthropy; and the Council would earnestly invite the friends of elementary instruction to unite themselves to the Society which it represents; because an augmentation of numbers, with an increase of funds, would essentially facilitate the desirable and permanent results which it seeks.

Discerning men cannot fail to perceive, in the circumstances of the period, new and powerful

reasons for cultivating in the minds of the rising generation just views of their civil rights and obligations, as well as for imbuing their hearts with a solemn sense of the nature and magnitude of their duties to the Almighty Creator and Ruler of the world.

The happiness and safety of our social compact, depend upon the effectual inculcation of these christian lessons, and as all are interested in these primary results of this primary teaching, it is hoped that few, if any, will be indisposed to assist in the accomplishment of such universal good.

ROBERTS VAUX,

G. TAYLOR,

G. W. SMITH,

GERARD RALSTON.

Committee of the Council.

*Philadelphia October 3d, 1829.*

Whereupon on motion it was *Resolved*, That the thanks of the Society be presented to this council for the zeal which it has manifested in promoting the objects of the Society.

*Resolved*, that the thanks of the Society be presented to such towns, and citizens, as are in correspondence with the council, for their efficient co-operation with that body in the cause of education.

*Resolved*, That it be earnestly recommended to our fellow-citizens throughout this commonwealth, to form societies for the establishment of a general system of education in Pennsylvania, and that such societies when formed be invited to open a correspondence with the council of this Society.

The Society then proceeded to an election of officers for the current year, when the following named gentlemen were chosen:

*President*,—Roberts Vaux.

*Vice Presidents*,—John Sergeant, John Wurts.

*Corresponding Secretaries*

George M. Stroud, George W. Toland.

*Treasurer*,—Joseph S. Grant.

*Recording Secretary*,—Augustus H. Richards.

*Council*,—The Officers, Ex-Officio, and

Benjamin W. Richards, George Taylor,

George McLeod, James R. Eckard,

Edward Bettle, Charles Yarnall,

G. Emerson, M. D.

Samuel Norris, Gerard Ralston,

Mathew Carey, George W. Smith,

Jacob Lex, Walter R. Johnson,

William B. Davidson.

On motion *Resolved*, That the proceedings of this meeting be published, and the editors of newspapers throughout the state be requested to insert them in their gazettes.

## OPENING OF THE CANAL AT NORTHUMBERLAND.

It is with much pleasure we are enabled to announce to our readers, from undoubted authority, that the water is now flowing down the Susquehanna division of the Pennsylvania Canal. The water was first introduced two weeks since, and is now three feet high at Selins-grove, and last Saturday had passed down the canal as far as Liverpool, and is gradually passing on; the whole line being in complete order to receive the water. No break or defect of any kind has been found, though the water now occupies 27 miles of the canal, a circumstance highly honorable to the talents and attention of Mr. Guilford, the engineer, and to the Contractors, who executed the work.

Boats are frequently passing with parties of pleasure from Selins-grove to Sunbury and Northumberland.

*Aurora.*

# REED BIRD, RICE BIRD, or ORTOLAN.

(From the American Turf Register and Sporting Magazine, No. 2.)

PHILADELPHIA, Sept. 7, 1829.

MR. EDITOR:—These delicious visitors are now congregating in great numbers on the marshes of the Delaware and Schuylkill, and in a few days they will have arrived at that point of pinguity, which gives them their deserved reputation among the delicacies of the table. They arrive in Pennsylvania in the month of April, and after a short sojourn in the grass field, steer their way to the north, where they breed.

On their arrival at this season they are sometimes quite fat, but on their return, which is the beginning of August, they are remarkably lean and indifferent. They remain in the stubble fields in small flocks, feeding upon the seeds of arsema and ragweed, until the reed begins to ripen, and then it is they acquire that plumpness for which they are so remarkable. When they come on from the south, the male wears his winter plumage, which is black, with a white spot on the head, a stripe of white on the back of the neck and back; the female retains the autumnal colour. At this season, the amateur of nature's melodies, can be as much gratified with their delightful notes, as the gourmand will be with their flesh in the Autumn. Their notes are few, but the intonation is more distinct than that of any other bird; it resembles the tones produced by a musical box more than any other thing to which I can compare it. But, after all, the music produced by the knives, forks and plates at a table, honored by the presence of these little gentlemen, is incomparably superior to any other we have ever heard; nay the very sight of them, strung up in dozens on the stalls of the Jersey market, early in a September morning, is delightful. To see their little yellow rumps (ready picked for inspection) protruding between their wings, like lumps of amber, is indeed a great temptation; but when we come to the eating of them, then it is that we need not much wonder at the extravagance of the poet (I forget his name,) who paid a guinea which had been given him in charity, for one of them. In short, no man can say he has tasted of the best things which a kind Providence has bestowed upon us, until he has eaten a dozen or two of these little birds nicely dressed. I am sure that if they had abounded in Greece, some of their poets would have told us that they were a standing dish at Jupiter's table. I was about to say something about cooking them; but I do not know how a cook can go very wrong, unless she would do as the Irish woman with the watermelon—boil them. However, that part of the subject I would refer to Mrs. Rubicam or Mrs. Inslee, not doubting but that they would give quite a scientific account of it (as Dr. Kitchener says.) But where am I going to? I intended to give you some account of the history of the bird, but in fact have got to eating him, which I have no doubt you can do as well as myself. Well, then, to my first intention. They leave Pennsylvania and New Jersey at the latter end of September and the beginning of October, if the weather becomes cold and stormy; but when it is mild, they remain for a considerable time in the latter month. They take their departure, like most other birds, towards the night of a clear day. Almost all the birds which frequent the marsh having congregated into an immense flock a little after sunset, a few at first start up in the air, and in a few moments the whole flock will follow them by degrees, in a kind of spiral column, until they have all left the place.

This bird is one of the few that afford any profit to the shooter, inasmuch as they are shot for the pot and for the pot alone. No gentleman sportsman would think of wading through mud up to his knees; and mostly above them, sneaking and creeping for two or three hours to get a shot at a flock of them; and after they are killed, it requires an experienced eye to find them, their color so much resembles the reed in which they are

found. The best shot I know of is a twenty-five cent piece, which will purchase a dozen of them from those people who make it a business to kill them for the market. Yours respectfully, C.

N. B. These birds are remarkably fond of millet, and some of our farmers along the Delaware sow a small strip of that grain near to the water, for the purpose of shooting them conveniently.

[The interesting bird above alluded to, is the rice bunting (*emberiza ortizivora*) of Wilson, and is represented in the second volume of his splendid work, plate xii. figure one and two. It is the *ortolan de ris*, of Buffon rice-bird of Catesby; *boblink*, of the eastern and northern states, and the *rice and reed-bird*, of Pennsylvania and the southern states. In Jamaica, it is known by the name of *Butter-bird*. The following is its description as given by Wilson.

"The rice bunting is seven inches and a half long and eleven and a half in extent; his spring dress is as follows: upper part of the head, wings, tail and sides of the neck, and the lower parts black; the feathers frequently skirted with brownish yellow as he passes into the colours of the female; back of the head cream color, back black sconded with brownish yellow, scapulars pure white, rump and tail consists of the same; lower part of the back bluish white; tail formed like those of the woodpecker genus, and often used in the same manner, being thrown in to support it while ascending the stalks of reed; this habit of throwing in the tail it retains even in the cage; legs burnished flesh colour, hind heel very long, bill a bluish horn colour, eye hazel. In the month of June this plumage gradually changes to a brownish yellow like that of the female, which has the back streaked with brownish black, the lower parts dull yellow; bill reddish flesh colour; legs and eyes as in the male. The young birds retain the dress of the female until the early part of the succeeding spring; the plumage of the female undergoes no material change in the colour."

## PROCEEDINGS OF COUNCILS.

Thursday, Oct. 8th, 1829.

Mr. Johnson presented a petition from sundry citizens, stating that the regulation in the neighborhood of Pine and Thirteenth streets, subjects them to considerable inconvenience, and praying that the subject may be referred to the City Regulator and Paving Committee.—Granted.

A communication was received from the City Solicitor, stating that the securities of John Trout, a collector of the City Taxes, had paid into the City Treasury, the whole sum in which he was deficient, except a balance of 800 dollars, which also they had made arrangement for paying immediately.

On motion of Mr. Baker, a resolution was adopted releasing the securities from the payment of interest on a part of the debt for a short time.

On motion of the same gentleman, another resolution was adopted authorising the City Solicitor to mark the judgments obtained by him in the suit of the Corporation against John Trout, to the use of his securities.

Mr. Johnson presented a petition from three laboring men, who had been employed by Joseph Purdon, a contractor in digging down one of the western streets, and who had lost their wages, through his failure. Laid on the table.

A resolution was adopted, allowing the representative of the late Christian Young, the lessee of the City's property, west of Schuylkill, the sum of four hundred dollars on settlement of rent, on account of injury done to the lessee by running certain reads through the property.

A resolution was passed allowing each of the city Constables the sum of six dollars, on account of expenses incurred in conducting the ward elections.

The committee on the State House, made a report from which it appears that the whole expense of rebuilding the steeple, repairing the building, and purchasing

the clock and bell, has been 16,608 dollars. The cost of the bell was 2,157 dollars; of the clock, 2,075 dollars, exclusive of fixtures.

The old bell was sold for 400 dollars: the clock has been sold to the Rev. Michael Hurley, of St. Augustine's Church, for 250 dollars.

The joint committee on markets reported that they deemed it advisable to have moveable stalls erected under the arches adjoining the Court House at the corner of Second and Market streets. A bill was passed accordingly.

The City Commissioners presented a statement of their expenditures, for the quarter ending 4th of October.—The total is \$95,863,63.

The City Treasurer presented a statement of his accounts for the last quarter. There not being time for the committee on accounts to examine it previous to the election, it was laid on the table, and recommended to the early attention of the next Councils.

The Paving Committee, made a report, concluding with a resolution directing the City Commissioners to pave Vine street from Broad to Schuylkill Eighth, Schuylkill Eighth from Chesnut to Broad, and George from Schuylkill Eighth to Seventh, so soon as the streets already ordered to be paved in their respective districts shall be finished. Adopted.

Mr. Walmsley, from the Committee appointed to provide for the removal of the sunken sloop from the Delaware, reported,

That the committee had attended to the duty assigned them, and after addressing a communication to the Board of Wardens, and having had several consultations, with the President and other experienced ship masters and Merchants, are of opinion that no injurious effects will result from the remains of the sloop being suffered to rest in their present situation, the depth of the water from low water mark being 44 feet, and the tide passing freely in the channel.

The Committee was discharged.

The Committee on Rittenhouse Square, report, that after carefully viewing the same, they would respectfully recommend, that the City Surveyor be directed to ascertain the level of it, and lay out the streets which are to be its permanent eastern and western boundaries, after which, the City Commissioners be directed to fill up the excavation in the North Western end, and that rows of trees be planted on its four sides. The Committee are not able to recommend any spot owned by or that could be procured by the Corporation, as a more eligible place for the deposit of street dirt.

The subject was recommended to the early attention of the next Councils.

On motion of Mr. Thompson of the Select Council it was

*Resolved*, That the thanks of this Council be presented to John W. Scott, Esq. their present President, for the ability and impartiality with which he has discharged the duties of his office.

On motion of Mr. Johnson of the Common Council it was

*Resolved*, That the thanks of the Council be tendered to our present President, James M. Linnard, Esq. in testimony of the frank, impartial, and independent manner, in which he has discharged the duties of presiding officer of this Council.

Each of the Presidents made, in a short and appropriate address, his acknowledgments for the honor thus done him.

### THE LEIPER CANAL CELEBRATION.

CHESTER, OCTOBER 13.

On Thursday last the 8th inst. the grand ceremony of navigating the LEIPER CANAL took place. It is a little better than a year since the commencement of this great work of individual enterprise and its rapid completion appears almost like a dream, to one who witnessed the laying of the corner stone. The original projector of this

canal it is well known was Thomas Leiper, (now deceased) who, owing to unforeseen circumstances in the year 1790, was unable to carry his plan into operation. The project has, however, been successfully carried into effect by his eldest son, George Gray Leiper, to whom the citizens of Delaware County are indebted for one of the greatest works of individual enterprise to be found in the United States.

At 1 o'clock, the ladies were escorted to the Canal Boat William Strickland, a beautiful boat about fifty-five feet in length, and named after that distinguished Engineer. In the stern of the boat was stationed a band of music which played during the passage up to the quarries, a distance of nearly two miles, some of the most fashionable and patriotic airs. Attached to the boat were two handsome full blooded Wind-Flower Cocks neatly decorated with covers trimmed with ribbons. At half past one o'clock the signal was given, and the procession moved on;—carriages, gigs, and gentlemen on horseback accompanied the boat as she smoothly glided through the unruffled stream to her place of destination. The sight as may be well imagined was truly grand and imposing. When the William Strickland entered the first lock (the Elizabeth Leiper lock) named after the wife of the venerable projector, three cheers were given—in a few minutes after she entered the Thomas Leiper lock, which for beauty of stone and superior workmanship is unrivalled in the United States. Such is the opinion of Messrs. Strickland and Strothers, of Philadelphia and Major Bender.

On the Thomas Leiper Lock, the Delaware county volunteer battalions under the command of Lieut. Colonel Henry Myers, were posted, and as soon as the boat passed through it, a national salute was fired by the Pennsylvania Artillerists accompanied with musketry. The boat was precisely one half hour from the time she left the great Southern Road until she arrived at the mansion of the Hon. George G. Leiper. The ladies were then landed, and the boat proceeded on her passage up to the quarries without any accident having occurred to impede her progress.

The troops then paraded in front of the mansion of Mr. Leiper, and were addressed by him in a very handsome and appropriate manner. On this as on all other occasions, the hospitable dwelling of Mr. Leiper was thrown open, where those who felt disposed to refresh themselves were kindly invited.

There were at least one thousand persons present at the celebration, and had the weather been more favorable, we believe there would have been a much greater number. We are happy to say amidst all the bustle incident to such a parade no serious accident happened to mar the pleasures of the day.—*Upland Union*.

### EARLY HISTORY OF YORK COUNTY.

*From the York Recorder.*

It is in the present year exactly a century since the first authorised settlements were made in this part of Pennsylvania. Previous to the year 1729, Chester county extended westwardly to the Susquehanna river, or so far as settlements had been authorized or lands surveyed and sold; the territory west of the Susquehanna was, however, considered as included in its limits.—In the year 1722, on the 18th of June, Sir William Keith, then deputy governor, by a warrant dated at Conestoga, directed three persons to cross the Susquehanna river, and survey and locate about 700,000 acres of land, in the name and for the use of Springet Penn, Esq. to be called 'Springetsbury Manor,' beginning on the south west bank of the Susquehanna, over against the mouth of the Conestoga creek. The survey & location were accordingly made, though certainly in a hasty & informal manner; nor were the boundaries the same as those of the present Manor, which were fixed by a subsequent survey and location. This tract remained totally unimproved at the time.

During several years previous to 1728, a number of persons resided on tracts of land lying on the west side of the Susquehanna, "so high up as to be four miles more north than the city of Philadelphia." These persons may be termed *squatters*; as they had no title to the lands whereon they resided, nor did they inhabit there with the approbation of the natives; and, in the latter end of the year 1728, they were removed by order of the deputy governor and council, at the request of the Indians, and in conformity with then existing treaties.

In 1729, May 10th, the 'upper parts' of Chester county were by act of Assembly erected into a distant county, called Lancaster, and the limits of the new county embraced the territory west of the Susquehanna. In the spring of that year, John and James Hendricks, under authority from the government, settled on the west side of the Susquehanna, about three miles north of the place from which the persons before spoken of had been removed. "And about the same time several other persons settled back from that river, south westerly from John and James Hendricks, on and about a branch of the river called Codorus creek, to the distance of ten or twelve miles." These were the first authorised settlements in what is now York county.

Sometime in the year 1731, Thomas Cressap, came from Maryland, and forcibly seized and settled on the lands from which the before mentioned *squatters* had been removed. With him originated the violent measures, sometimes issuing in murderous affrays, which attended the disputes between the proprietaries of Pennsylvania and Maryland, respecting the proper boundary of the two provinces. On the 24th of November 1736, this restless & quarrelsome individual was apprehended by the Sheriff of Lancaster county, and committed to prison on the warrant of the two provincial judges.—Thereupon the President of the province called the Council and Assembly, who detailed the facts connected with the outrages committed, and referred the matters, in a memorial to the King; which led ultimately to an amicable adjustment of the disputes concerning the boundary. At that period, it is believed, there were between three and four hundred inhabitants within the present limits of this county.

York county was separated from Lancaster in 1749.

#### NOTES OF A TRAVELLER.

*Extract from "Notes of a Journey in Pennsylvania, in the early part of June."*

Leaving Nazareth, and proceeding northwest, the Blue Mountains—otherwise the Kittatiny—rose in view, displaying its two remarkable notches, Water Gap, through which the Delaware forces its way between precipices 1200 feet high, and the Wind Gap, which affords a passage only to the wind and the stage. Here we passed the line which separates the secondary and fertile region through which we had ridden from the transition country, which immediately discovers its sterility. Our road lay across an elevated table land of 25 miles in breadth, and of indefinite length. The land is so sterile that for the most part, no one thinks of cultivating it, or even laying claim to it.

By the time we had accomplished this journey, we were well prepared to relish the brilliant prospect of the Wyoming valley, which now opened upon us at once, from an eminence of 3000 feet.—Here the eye beholds, in one view, an enclosed valley of 15 miles in length and from 7 to 10 in breadth, of the richest alluvial soil, fitted for the production of every fruit appropriate to the latitude. At this season, the variety of the cultivation was apparent, and beautifully diversified the landscape. The Susquehanna, moving gracefully along its windings through the extent, of the valley, added to the richness of the landscape; while the villages of Wilkesbarre, Kingston, Plymouth, and some others completed the view.

As we gazed, we thought of Brandt and Johnson,

leading on their bloody brethren of the forest, and their not less bloody allies from the abodes of civilization, to massacre. Of the bloody battle between the Butlers we thought, and our eye rested on the spot where stood the fort, which contained the best blood of the valley, and was sacked. Those scenes have passed, and in the place of war, there is peace, and the peaceful arts.—The object most worthy of curiosity here is the extensive coal formation, of which the Lehigh coal mines, before mentioned, are a part. This valley literally lies on a bed of coal; for, dig any where—in the mountain, on the flats, or in the bed of the river, and coal is soon found.—There are two principle mines worked, one in Wilkesbarre, and the other in Plymouth. A description of the former will suffice for both. The mine lies near the base of the mountain. First is a depth of soil, covered with a growth of wood; next, horizontal strata of slate, of ten feet thickness, and filled with vegetable impressions. We readily distinguished among these, the leaves of the fern and flag; besides these, were a great variety of species, of which none can give an account, only that they do not belong to the present vegetable world. All these leaves, in their position, observed the same order,—lying horizontally, and perfectly spread out, as if they had been carefully laid down, and successive laminae of slate placed upon them. Underneath the slate is the coal, in a horizontal bed, twenty seven feet in thickness, with a layer of slate, half an inch in thickness occurring in twelve or eighteen inches. So compact is the coal, that drilling and blasting must be employed to throw it out. The appearance of the mine presents a novel sight. The excavation is so managed, that large pillars of the coal, six feet in diameter, are left standing, at suitable distances, to support the super-incumbent roof of slate and forest trees, so that a stranger to the object of the excavation, looking at the capacious black roof with its rows of black pillars, might mistake it for the vestibule of some giant's castle. The odour of sulphur, by which the whole coal is impregnated, is very powerful in the mine.

How was the coal produced? and whence the world of strange vegetables in the slate? We may guess, that the hard anthracite mass was of vegetable origin, at a period, nobody knows when; and that the leaves at an equally remote period, were confusedly mingled together with the slate, when in liquid solution, and that the laws of chrysalization reduced them to their present orderly rank-and-file position, where, by sympathy, they transferred their nature from the vegetable to the mineral kingdom,—but after all we must confess, "marvellous are the works of God—in the air, in the mighty deep, and in the bowels of the earth; how small a portion of his ways are seen!"—*Amer. D. Adv.*

#### NEW BAPTIST CHURCH.

The new Baptist church, to be built on Spruce st. between Fourth and Fifth, is rising rapidly on its foundation. The lot is 74 feet front on Spruce street, by 102 feet deep, and cost \$14,000. This sum included the price of several buildings by which it was occupied, one of them being a new three-story brick house, with back-buildings. The other tenements consisted of sheds and stables of little value, and, together with the ground they occupied, were the property of different owners. The movements of the workmen have been uncommonly rapid, and we presume, if the same degree of activity is observed for a month or two, the church will be opened for Divine service by the first of January. It was intended by the trustees to possess themselves of the whole lot to the corner of Green's court, by the purchase of a house, the property of the widow of the late Thomas Goodwin, for which they offered, the lot included, \$3,800. The necessary papers were drawn up, preparatory to a sale, when, on proceeding to execute them, a flaw was discovered in the title—there being a ground-rent on the property which no one has called



for in the last eighty years. The foundation for the church was immediately laid on the ground already bought; although, if the house and lot above-named could have been procured, the site for the new building would have been infinitely better fitted to show off the beauty of the latter.—*Bulletin*

### INSPECTOR'S ELECTION.

Table showing the number of Votes given in each Ward, on Friday, Oct. 3, for the choice of Inspectors of the General Election.

| Wards.                 | Federal. | Dem. | Total. |
|------------------------|----------|------|--------|
| 1 Upper Delaware, - -  | 107      | 134  | 241    |
| 2 Lower Delaware, - -  | 210      | 138  | 348    |
| 3 High street, - - -   | 140      | 100  | 240    |
| 4 Chesnut, - - - -     | 110      | 118  | 228    |
| 5 Walnut, - - - -      | 155      | 0    | 155    |
| 6 Dock, - - - - -      | 117      | 138  | 255    |
| 7 Pine, - - - - -      | 170      | 169  | 339    |
| 8 New Market, - - -    | 162      | 224  | 386    |
| 9 North Mulberry, - -  | 125      | 317  | 442    |
| 10 South Mulberry, - - | 118      | 167  | 285    |
| 11 North, - - - - -    | 182      | 160  | 342    |
| 12 Middle, - - - - -   | 0        | 103  | 103    |
| 13 South, - - - - -    | 96       | 133  | 229    |
| 14 Locust, - - - - -   | 0        | 289  | 209    |
| 15 Cedar, - - - - -    | 85       | 142  | 227    |
| Totals,                | 1777     | 2332 | 4109   |

### RETURNS OF THE GENERAL ELECTION.

The Names of the Gentlemen elected are distinguished by *Italic* letter.

#### PHILADELPHIA CITY.

##### ASSEMBLY.

| Federal Republicans.     | Democrats.               |
|--------------------------|--------------------------|
| Abraham Miller, 3738     | David S. Hassinger, 2944 |
| Cadwalader Evans, 2988   | John Lisle, 2891         |
| George Emlen, 2957       | Samuel B. Davis, 2843    |
| Benjamin R. Morgan, 2953 | Henry Simpson, 2783      |
| Thos. W. Morris, 2909    | J. H. Campbell, 2763     |
| Thos. F. Leaming, 2907   | Thomas Kehler, 2692      |
| Joseph S. Cohen, 2766    | Freeman Scott, 2676      |

##### Working Men's Ticket.

|                       |                    |
|-----------------------|--------------------|
| Jos. R. Chandler, 889 | William Baker, 864 |
| Edward Haydock, 873   | Robert Morris, 860 |
| Charles H. Kirk, 871  | James Maxwell, 855 |

##### SELECT COUNCIL.

|                        |                        |
|------------------------|------------------------|
| John M. Scott, 2930    | William Boyd, 3712     |
| Anthony Cuthbert, 2913 | Henry Horn, 3656       |
| Levi Garrett, 2892     | William J. Duane, 2914 |
| Thomas Williams, 2881  | Alexander Cook, 2820   |
| Michael Fox, 2846      | Joseph Burden, 2817    |

##### Working Men's Ticket.

|                        |                      |
|------------------------|----------------------|
| William Rush, 886      | Thomas Fletcher, 857 |
| Samuel V. Merrick, 867 | Scattering, 16       |

##### COMMON COUNCIL.

|                           |                         |
|---------------------------|-------------------------|
| Charles Massey, 3856      | Christian Kneass, 3696  |
| Charles Johnson, 3881     | J. P. Wetherill, 2965   |
| Israel Roberts, 3860      | Josh. Lippincott, 2952  |
| Henry Troth, 3854         | Michael Baker, 2906     |
| William Gerhard, 3849     | Isaac Wainwright, 2905  |
| Jos. Donaldson, 3838      | James Page, 2896        |
| Samuel P. Wetherill, 3830 | Michael E. Israel, 2887 |
| E. K. Keyser, 3826        | Thomas Cave, 2885       |
| John Horner, 3810         | Thos. S. Smith, 2880    |
| Charles Graff, 2976       | G. Troutman, 2869       |
| William H. Hart, 2941     | H. L. Coryell, 2868     |
| Joshua Percival, 2950     | John M. Hood, 2868      |
| W. M. Walmsley, 2936      | Daniel Oldenburg, 2867  |
| Richard Price, 2928       | James Fearon, 2851      |
| Benjamin Jones, Jr. 2923  | George Emerick, 2844    |
| William Rawle, Jr. 2922   | Charles Brown, 2844     |
| William Smith, 2885       | John Bell, 2840         |

|                        |                      |
|------------------------|----------------------|
| Francis G. Smith, 2882 | Edwin T. Scott, 2773 |
| Aquila A. Browne, 2855 | Peter Fritz, 2759    |
| Nathan Bunker, 2799    |                      |

##### Working Men's Ticket.

|                       |                    |
|-----------------------|--------------------|
| John Moss, 913        | Isaac Myer, 864    |
| Henry S. Tanager, 857 | Adam Ramage, 852   |
| Samuel Fox, 867       | Joseph Murray, 854 |
| Thomas Wallace, 847   | James Glasgow, 828 |
| Silas W. Sexton, 846  | John P. Joice, 828 |
| Samuel Hufty, 840     | Scattering, 56     |

#### PHILADELPHIA COUNTY.

##### SENATE.

|                       |                       |
|-----------------------|-----------------------|
| James Ronaldson, 3937 | Jesse R. Burden, 4519 |
|-----------------------|-----------------------|

##### ASSEMBLY.

|                        |                        |
|------------------------|------------------------|
| Michael Riter, 4120    | George W. Smick, 4044  |
| Thomas J. Heston, 4068 | Joseph Taylor, 4007    |
| S. J. Henderson, 3209  | E. W. Thomas, Jr. 3929 |
| Adam Richards, 3190    | Daniel K. Miller, 3928 |
| Daniel Smith, 3149     | Jno. Carter, 3924      |
| James Smith, 3100      | Benjamin Martin, 3924  |
| T. W. L. Freeman, 3011 | John Foulkrod, 3911    |
| Wm. Binder, 3039       | William O. Kline, 3694 |

##### Working Men's Ticket.

|                         |                         |
|-------------------------|-------------------------|
| Robert B. Scott, 1446   | William Mann, 1423      |
| Richard P. Risdon, 1438 | Thomas Landreth, 1421   |
| Jesse Torrey, Jr. 1436  | Charles V. Hagner, 1417 |

##### Returns from the City and County of Philadelphia.

| GOVERNOR.       | City. | County | Totals. |
|-----------------|-------|--------|---------|
| George Wolf,    | 4059  | 7043   | 11102   |
| Joseph Rittner, | 333   | 223    | 556     |

##### SHERIFF.

|                   |      |      |      |
|-------------------|------|------|------|
| George Rees,      | 2301 | 3919 | 6220 |
| Thomas Snyder     | 542  | 3490 | 4032 |
| John White,       | 1251 | 2513 | 3764 |
| James Glentworth, | 1924 | 626  | 2550 |
| Robert Brooke,    | 994  | 653  | 1647 |
| Daniel Sharp,     | 1094 | 185  | 1279 |

##### CORONER.

|                   |      |      |      |
|-------------------|------|------|------|
| John Dennis,      | 3693 | 3814 | 7507 |
| Lewis Rush,       | 3539 | 2029 | 5568 |
| Thomas M. Souder, | 1388 | 2268 | 3656 |
| John Dubois,      | 865  | 2403 | 3268 |

##### COUNTY COMMISSIONER.

|                   |      |      |      |
|-------------------|------|------|------|
| Emmion Williams,  | 3825 | 5018 | 8843 |
| Jacob Shearer,    | 344  | 2920 | 3264 |
| Edward Penington, | 211  | 242  | 453  |

##### AUDITOR.

|                   |      |      |      |
|-------------------|------|------|------|
| Samuel Coats, Jr. | 3526 | 3671 | 7197 |
| Daniel Snyder,    | 1158 | 4072 | 5230 |

Councils were organized yesterday morning at 11 o'clock, and elected their officers, viz:

##### SELECT COUNCIL.

President—John M. Scott.  
Clerk—Thomas Bradford, Jr.

##### COMMON COUNCIL.

President—Joshua Percival.  
Clerk—Nathan R. Potts.  
Messenger to both Councils—Thomas Young.

We received on Thursday last, from Mr. John Gill, of Southampton township, Bucks county, a ripe *Strawberry*, measuring more than one inch in circumference; it possessed the same delicious smell and taste which is common to that excellent fruit in its usual season. Mr. Gill writes to us that he has growing in his garden a number of flourishing vines, full of beautiful full grown ripe and green Strawberries. This is certainly an uncommon production, and we should be glad to learn from Mr. G. whether the same vines bore this season before, and if there is any thing in the mode of cultivation which varies from that commonly practised and pursued in gardens.—*Bucks County Intelligencer*.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 17.      PHILADELPHIA, OCTOBER 24, 1829.      NO. 95.

## MINUTES OF THE CONVENTION OF PENNSYLVANIA, *Held for the purpose of considering the Federal Constitution.*

*Tuesday, Nov. 20, 1787, P. M.*

This being the day appointed by the legislature of this state for the meeting of the Convention, a number of gentlemen delegated for that purpose met accordingly at the State-house; And adjourned to to-morrow.

*Wednesday, Nov. 21, 1787, P. M.*

Sixty of the gentlemen elected to serve in the Convention met.

The returns of the elections held in the city of Philadelphia and the several counties of this state were read, by which it appears that the following gentlemen were returned as delegates for the Convention for the said city and counties, respectively, viz.

*For the City of Philada.* Nicholas Lutz,  
George Latimer, John Ludwig,  
Benjamin Rush, Abraham Lincoln,  
Hilary Baker, John Bishop,  
James Wilson, Joseph Heister.

*For Northampton Co.* John Arndt,  
*For Philadelphia County.* Stephen Balliott,  
William M'Pherson, Joseph Horsefield,  
John Hunn, David Deshler.

*For Bedford County.* Samuel Ashmead,  
Enoch Edwards, James Martin,  
Joseph Powell.

*For Northumberland Co.* Henry Wynkoop,  
John Barclay, William Wilson,  
Thomas Yardley, John Boyd.

*For Westmoreland Co.* Abraham Stout, William Findley,  
Thomas Bull, John Baird,  
Anthony Wayne, William Todd.

*For Washington County.* William Gibbons,  
Richard Downing, James Marshall,  
Thomas Cheney, James Edgar,  
John Hannum, Thomas Scott,

*For Lancaster County.* John Nevill,  
Stephen Chambers, John Neill,  
Robert Coleman, Nathaniel Breeding,  
Sebastian Graff, John Smilie.

*For Franklin County.* John Hubley,  
Jasper Yeates, Richard Bard,  
John Whitehill, John Allison.

*For Montgomery County.* Henry Slagle,  
Thomas Campbell, Jonathan Roberts,  
Thomas Hartley, John Richards,  
David Grier, Frederick A. Muhlenberg,  
John Black, James Morris.

*For Dauphin County.* John Black, William Brown,  
Benjamin Pedan, Adam Orth,

*For Cumberland County.* John Harris, John A. Hannah.

*For Luzerne County.* John Reynolds, Timothy Pickering.

*For Huntingdon County.* Robert Whitehill, Benjamin Elliott.

*For Berks County.* The Convention proceeded to elect a President.  
The ballots being counted, it appeared that *Frederick Augustus Muhlenberg, Esq.* was duly elected.

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An invitation to the President and Members of the Convention from the Faculty of the University of Pennsylvania, requesting their company at a commencement to be held to-morrow, was read.

Agreed to attend in a body, at 10 o'clock, to-morrow.

*Thursday, Nov. 22, 1787. A. M.*

Convention met, and proceeded to the University-Hall, attended commencement, and returned to their chamber.

On motion of Mr. Wayne, seconded by Mr. Whitehill, A committee was appointed to report rules and regulations for conducting the business of the Convention.

The committee consisted of Benjamin Rush, James Wilson, George Gray, Anthony Wayne and Robert Whitehill.

*Friday, Nov. 23, 1787. P. M.*

Convention met, and proceeded to elect a Secretary. The ballots being taken, it appeared that *James Campbell, Esq.* was duly elected.

A petition from Thomas Lloyd was read, praying to be appointed Assistant Secretary.

On motion of Mr. Smilie, seconded by Mr. Whitehill The further consideration thereof was postponed.

Petitions from Andrew Burkhard, James Martin, Nicholas Weaver, Joseph Fry, and Frederick Snyder, respectively praying to be appointed Messenger or Door-keeper, were read.

The Convention proceeded to the choice of a Messenger and Door-keeper, and the ballots being taken, it appeared that *Andrew Burkhard* was duly elected Messenger, and *Joseph Fry*, Door-keeper.

The committee appointed yesterday, to bring in Rules and Regulations, made report; and the same being read, was by special order taken up, read by paragraphs, and agreed to, as follows:

I. When the President assumes the chair, the members shall take their seats.

II. At the opening of the Convention each day, the minutes of the preceding day shall be read, and are then in the power of the Convention to be corrected; after which any business addressed to the chair may be proceeded to.

III. Every petition, memorial, letter, or other matter of the like kind, read in the Convention, shall be deemed as lying on the table for further consideration, unless any special order be moved therein.

IV. A motion made and seconded, shall be repeated by the President. A motion shall be reduced to writing, if the President, or any two members, require it. A motion may be withdrawn by the member making it, before any decision is had on it.

V. No member speaking shall be interrupted, but by a call to order by the President, or by a member, thro' the President.

VI. No member to be referred to in debate by name.

VII. The President himself, or by request, may call to order any member who shall transgress the rules. If a second time, the President may refer to him by name. The Convention may then examine and censure the member's conduct, he being allowed to extenuate or justify.

VIII. Every member actually attending the Convention shall be in his place at the time to which the Convention stands adjourned, or within half an hour thereof

IX. The name of him who makes, and the name of him who seconds a motion, shall be entered on the minutes.

X. No member shall speak more than twice to a question, without leave.

XI. Every member of a committee shall attend at the call of his chairman.

XII. The yeas and nays may be called and entered on the minutes, when any two members require it.

On motion of Mr. M'Kean, seconded by Mr. Smilie, Ordered, that the doors of the Convention be left open during the session.

On motion of Mr. M'Kean, seconded by Mr. Smilie, Ordered, That the constitution, as proposed by the late Federal Convention, be read.

It was read accordingly.

On motion of Mr. Wilson, seconded by Mr. Yeates,

It was made a rule of the Convention to meet at ten o'clock, A. M.

*Saturday, Nov. 24, 1787, A. M.*

On motion of Mr. M'Kean, seconded by Mr. Hannum,

The constitution, as proposed by the late Convention was read a second time, together with a letter from the Secretary of Congress to the President of this state. It was moved by Mr. M'Kean, and seconded by Mr. Allison,

That this Convention do assent to and ratify the constitution agreed to on the 17th of September last, by the Convention of the United States of America, held at Philadelphia.

*Monday, Nov. 26, 1787, P. M.*

It was moved by Mr. M'Kean and seconded by Mr. Chambers,

That this Convention do now proceed to consider the constitution referred to their consideration, by articles.

It was moved by Mr. Latimer, seconded by Mr. Wilson,

To repeal the tenth rule of this Convention, viz:

No member shall speak more than twice to a question, without leave.

On this question being put, it was repealed.

It was moved by Mr. R. Whitehill, seconded by Mr. Lincoln.

That the further consideration of the question now before the Convention be postponed, in order to introduce the following, viz:

That this Convention resolve itself into a committee of the whole, for the purpose of investigating and considering the aforesaid constitution by articles and sections, and to make report thereon.

And the question being put, the Yeas and Nays were called by Mr. R. Whitehill and Mr. Lincoln, and were as follow.

YEAS. John Whitehill, John Harris, John Reynolds, Robert Whitehill, Jonathan Hoge, Nicholas Lutz, John Ludwig, Abraham Lincoln, John Bishop, Joseph Heister, James Martin, Joseph Powell, William Findley, John Baird, William Todd, James Marshall, James Edgar, Thomas Scott, Nathaniel Breeding, John Smilie, Richard Bard, William Brown, Adam Orth, John Andre Hanna.—24.

NAYS. George Latimer, Benjamin Rush, Hilary Baker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, Henry Wynkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheyney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yeates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, John Arndt, Stephen Balliot, Joseph Horsefield, David Deshler, William Wilson, John Boyd, John Nevill, John Allison, Jonathan Roberts, John Richards, Frederick A. Muhlenberg, James Morris, Timothy Pickering.—44.

So it was determined in the negative.

*Tuesday, Nov. 27, 1787, A. M.*

On motion of Mr. Rush, seconded by Mr. Allison,

Ordered, That the seats on the right and left of the President be reserved for members of Congress and of the Supreme Executive Council.

Letters from Messieurs Hall & Sellers, and Messieurs Pritchard & Hall, respectively requesting to be appointed printers to the Convention were read.

On motion of Mr. Chambers, seconded by Mr. M'Pherson,

The Convention proceeded to elect a printer; the ballots being taken, it appeared that Messieurs Hall & Sellers were duly elected.

On motion of Mr. Rush, seconded by Mr. Arndt,

Ordered, That Mr. Steiner be directed to print the German copies.

On motion of Mr. M'Kean, seconded by Mr. Hubley, Ordered, That the number of English copies be 3000, the number of German 2000.

On motion, Ordered, That the President be directed to draw on the Treasurer, in favor of the Secretary, for the sum of One Hundred Dollars, to enable him to defray the contingent expences of the Convention, he to be accountable.

On motion of Mr. R. Whitehill, seconded by Mr. Lincoln, to add to the 12th rule of this Convention the following words, viz.—“Any member shall have a right to enter the reasons of his vote on the minutes on the general question, viz. Whether this Convention will assent to and ratify the constitution submitted to their consideration”—the question being put, the Yeas and Nays were called by Mr. Smilie and Mr. Whitehill, and were as follow:

YEAS. John Whitehill, John Harris, John Reynolds, Robert Whitehill, Jonathan Hoge, Nicholas Lutz, John Ludwig, Abraham Lincoln, John Bishop, James Martin, Joseph Powell, John Baird, William Todd, James Marshall, James Edgar, Nathaniel Breeding, John Smilie, Richard Bard, John Richards, William Brown, Adam Orth, John Andre Hanna.—22.

NAYS. George Latimer, Benjamin Rush, Hilary Baker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, Henry Wynkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheyney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yeates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, John Arndt, Stephen Balliot, Joseph Horsefield, David Deshler, William Wilson, John Boyd, Thomas Scott, John Nevill, John Allison, Jonathan Roberts, Frederick A. Muhlenberg, James Morris, Benjamin Elliott—44.

So it was determined in the negative.

The original question being then put, viz.—“Will this Convention now proceed to consider the constitution (submitted to their consideration) by articles?”

It was carried in the affirmative.

The Convention then proceeded to consider the first article, and after some debate,

Adjourned until ten o'clock to-morrow, A. M.

*Wednesday, Nov. 28, 1787, A. M.*

The Convention met pursuant to adjournment.

The president laid before the convention a letter from the Ministers and Vestry of the German Lutheran Congregation, requesting the attendance of this convention at Zion church to-morrow, at nine o'clock, to an examination of the pupils in the German language, &c.

Agreed, That the convention do attend.

The convention resumed the consideration of the first article of the proposed constitution, and after some debate on the subject of a bill of rights, and the extent of the legislative powers contained in the first article.

Adjourned until ten o'clock on Friday next, A. M.

*Friday, Nov. 30, 1787, A. M.*

The convention met pursuant to adjournment,

And resumed the consideration of the first article of the proposed constitution. After some debate on the

rate of representation prescribed in it, on the eventual operation of the powers therein granted to Congress, upon the state government's, and on the time for which revenues may be appropriated,

Adjourned until ten o'clock to-morrow, A.M.

*Saturday, Dec. 1, 1787. A.M.*

The convention met pursuant to adjournment,

And resumed the consideration of the first article of the proposed constitution. After some debate on the liberty of the press, and on the legislative, executive and judicial powers of the new government, it was agreed,

On motion of Mr. *Edwards*, seconded by Mr. *Wilson*, That the convention, from and after Monday next, will meet twice a day, viz. at half after nine o'clock in the morning, and half after four o'clock in the afternoon.

Adjourned until three o'clock on Monday next, A.M.

*Monday, Dec. 3, 1787. P.M.*

The convention met pursuant to adjournment.

And resumed the consideration of the first article of the proposed constitution. After some debate on the power vested in the president, by and with the consent and advice of two thirds of the Senate, to make obligatory treaties, and a comparison of this power with the first clause of the first article, and after some enquiry into the ninth section of the first article, adjourned.

*Tuesday, Dec. 4, 1787. A.M.*

The convention resumed the consideration of the first article of the proposed constitution.

The President submitted to the convention, whether the system under their consideration will not meet with a more full and expeditious investigation, by a general statement of the objections to it, and a subsequent reply to those objections. After some debate adjourned.

*Eodem Die. P.M.*

Resumed the consideration of the first article of the proposed constitution, and after some debate adjourned.

*Wednesday, Dec. 5, 1787. A.M.*

The convention resumed the consideration of the first article of the proposed constitution. After some enquiry into the qualified negative of the President, and the general construction of the new government, adjourned.

*Eodem Die. P.M.*

The convention resumed the consideration of the first article of the proposed constitution, and after some debate adjourned.

*Thursday, Dec. 6, 1787. A.M.*

The convention resumed the consideration of the first article of the proposed constitution. After some debate on the powers vested in Congress to raise and support armies, to organise and superintend the militia, to regulate elections, and on the responsibility of Congress in the exercise of these powers, adjourned.

*Friday, Dec. 7, 1787. A.M.*

On motion of Mr. *Chambers*, seconded by Mr. *Wilson*, The convention proceeded to the consideration of the remaining articles of the proposed constitution; and after some enquiry into the construction and power of the judiciary department, adjourned.

*Saturday, Dec. 8, 1787. A.M.*

The convention resumed the consideration of the remaining articles, and after some debate, adjourned.

*Monday, Dec. 10, 1787. P.M.*

The convention resumed the consideration of the remaining articles of the proposed constitution, and after some debate, adjourned.

*Tuesday, Dec. 11, 1787. A.M.*

Petitions from sundry inhabitants and landholders of the county of Philadelphia [offering the said county, or any part thereof, for the seat of the general Government, and for the exclusive legislation of Congress] were read; also petitions from sundry inhabitants of the county of Philadelphia, Bucks and Montgomery, offering a tract of country, situated between Pennsypack and Neshaminy creeks, on the west side of the river Delaware, for the above purposes. Ordered to lie on the table.

The convention then resumed the consideration of the

remaining articles of the proposed constitution, and after some debate, adjourned.

*Eodem Die. P.M.*

The convention resumed the consideration of the proposed constitution, and after some enquiry into the principles, constitution, and probable operation of the new government, adjourned.

*Wednesday, Dec. 12, 1787. A.M.*

The convention resumed the consideration of the remaining articles of the proposed constitution, and after some debate, adjourned.

*Eodem Die. P.M.*

The convention resumed the consideration of the remaining articles of the proposed constitution.

Petitions from sundry inhabitants of the county of Cumberland, praying that the proposed constitution may not be adopted without amendments, &c. were read, and ordered to lie on the table.

It was moved by Mr. *Whitehill*, and seconded by Mr. *Findley*, "That this convention do adjourn until day of \_\_\_\_\_ next, to meet in the city of Philadelphia, in order that the propositions for amending the proposed constitution may be considered by the people of this state, that we may have an opportunity of knowing what amendments or alterations may be proposed by the other states, and that these propositions, together with such other amendments as may be proposed by other states, may be offered to congress, and taken into consideration by the United States, before the proposed constitution shall be finally ratified."

The question being put, the Yeas and Nays were called by Mr. *Smilie* and Mr. *Chambers*, and were as follow.

*Yeas*.—John Whitehill, John Harris, John Reynolds, Robert Whitehill, Jonathan Hoge, Nicholas Lutz, John Ludwig, Abraham Lincoln, John Bishop, Joseph Heister, James Martin, Joseph Powell, William Findley, John Baird, William Todd, James Marshall, James Edgar, Nathaniel Breeding, John Smilie, Richard Bard, William Brown, Adam Orth, John A. Hanna.

*Nays*.—George Latimer, Benjamin Rush, Hilary Baker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, Henry Winkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheyney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yeates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, John Arndt, Stephen Balliott, Joseph Horsfield, David Deshler, William Wilson, John Boyd, Thomas Scott, John Nevill, John Allison, Jonathan Roberts, John Richards, Frederick A. Muhlenberg, James Morris, Timothy Pickering, Benjamin Elliott.

So it was negatived.

On motion of Mr. *Hurtley*, seconded by Mr. *Chambers*,

The original question, as moved by Mr. *M'Kean*, viz: "Will this convention assent to and ratify the constitution agreed to on the 17th of September last, by the convention of the United States of America, held in Philadelphia?"—was put.

The Yeas and Nays were called by Mr. *Smilie* and Mr. *Yeates*, and are as follow.

*Yeas*.—George Latimer, Benjamin Rush, Hilary Baker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, H. Wynkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheyney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yeates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, John Arndt, Stephen Balliott, J. Horsfield, David Deshler, William Wilson, John Boyd, Thomas Scott, John Nevill, John Allison, Jonathan Rob-

erts, John Richards, Frederick A. Muhlenberg, James Morris, Timothy Pickering, Benjamin Elliott.

*Nays.*—John Whitehill, John Harris, John Reynolds, Robert Whitehill, Jonathan Hoge, Nicholas Lutz, John Ludwig, Abraham Lincoln, John Bishop, Joseph Heister, James Martin, Joseph Powell, William Findley, John Baird, William Todd, James Marshall, James Edgar, Nathaniel Breeding, John Smilie, Richard Bard, William Brown, Adam Orth, John Andre Hanna.

So it was carried in the affirmative.

*Ordered*, that Mr. Wilson, Mr. M'Kean and Mr. Yeates be a committee, to prepare and report a form of ratification.

*Ordered*, that the Secretary have the Constitution, and the ratification of it, engrossed on parchment, an original and a duplicate.

On motion of Mr. M'Kean, seconded by Mr. Chambers,

*Resolved*, that this convention will proceed in a body to-morrow at twelve o'clock, to the Court House, where the ratification of the Constitution shall be publicly read, and that the Honorable the Supreme Executive Council be requested to attend the procession, and to make the necessary arrangements for announcing this ratification to the people.

Adjourned until half past nine o'clock to-morrow, A.M.

Thursday, Dec. 13, 1787. A.M.

The committee appointed to draft a form of ratification made report.

The convention then proceeded (agreeably to the resolution of yesterday) to the Court House, where the ratification was publicly read.

The convention, returned, and subscribed the ratification of the Constitution on an original and duplicate.

It was moved by Mr. M'Kean, and seconded by Mr. Baker,

That the Secretary deliver to the master of the rolls (for the purpose of having it recorded) one of the Scrolls, containing the constitution, ratification, and Names subscribed, as they here follow.

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

#### ARTICLE. I.

Section 1. ALL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the elections in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative, who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight,

Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North-Carolina five, South-Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Sec. 3. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice-president of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside:— And no person shall be convicted without the concurrence of two thirds of the members present.

Judgement, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit, under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Sec. 4. The times, places and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in Decr. unless they shall by law appoint a different day.

Sec. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

**Sect. 6.** The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate, in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

**Sect. 7** All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to re-consider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevents its return, in which case it shall not be a law.

Every order, resolution or vote, to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States, and, before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

**Sect. 8.** The Congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts, and provide for the common defence and general welfare of the United States; but all duties, imposts and excises, shall be uniform throughout the United States;

To borrow money on the credit of the United States; To regulate commerce with foreign nations, & among the several states, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post-offices and post-roads;

To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court; To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies; but no appropriation of

money to that use shall be for a longer term than 2 years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrection, & repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the states, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation, in all cases whatsoever, over such district, (not exceeding 10 miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States; and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the U. S., or in any department or officer thereof.

**Sect. 9.** The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand-eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the U. States: And no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

**Sect. 10.** No state shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bills of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts laid by any state on imports or exports shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II.

**Sect. 1.** The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, togeth-



er with the Vice-President, chosen for the same term, be elected as follows:

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress: But no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by states, the Representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice.—In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.

The Congress may determine the time of choosing the electors, & the day on which they shall give their votes; which day shall be the same throughout the U. States.

No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of President; neither shall any person be eligible to that office, who shall not have attained to the age of 35 years, and been 14 years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the constitution of the United States."

*Sect. 2.* The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: But the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

*Sect. 3.* He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

*Sect. 4.* The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III.

*Sect. 1.* The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may from time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

*Sect. 2.* The judicial power shall extend to all cases in law and equity, arising under the constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting Ambassadors, other public Ministers and Consuls; to all cases of Admiralty and Maritime Jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

*Sect. 3.* Treason against the United States shall consist only, in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

## ARTICLE IV.

*Sect. 1.* Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

*Sect. 2.* The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labour may be due.

*Sect. 3.* New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislature of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the U. States; and nothing in this constitution shall be so construed as to prejudice any claims of the U. States, or of any particular state.

*Sect. 4.* The United States shall guarantee to every state in this union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

## ARTICLE V.

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year one thousand eight hundred & eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

## ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the U. States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the U. States and of the several States, shall be bound, by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

## ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

DONE in Convention, by the unanimous consent of the

States present, the 17th day of September, in the year of our Lord 1787, and of the Independence of the United States of America the 12th. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON, PRESIDENT,  
And Deputy from Virginia.

|  |   |
|--|---|
| <i>New-Hampshire.</i><br>John Langdon,<br>Nicholas Gilman.   | <i>Delaware.</i><br>George Read,<br>Gunning Bedford, Jr.<br>John Dickinson,<br>Richard Bassett,<br>Jacob Broom.   |
| <i>Massachusetts.</i><br>Nathaniel Gorham,<br>Rufus King.  | <i>Maryland.</i><br>James M <sup>c</sup> Henry,<br>Daniel of St. Tho. Jenifer,<br>Daniel Carroll.                 |
| <i>Connecticut.</i><br>William Samuel Johnson,<br>Roger Sherman.   | <i>Virginia.</i><br>John Blair,<br>James Maddison, Jr.  |
| <i>New-York.</i><br>Alexander Hamilton.  | <i>North-Carolina.</i><br>William Blount,<br>Richard Dobbs Spaight,<br>Hugh Williamson.                           |
| <i>New-Jersey.</i><br>William Livingston,<br>David Brearley,<br>William Patterson,<br>Jonathan Dayton.   | <i>South-Carolina.</i><br>John Rutledge,<br>Charles Cotesworth Pinck-<br>Charles Pinckney [ney,<br>Pierce Butler. |
| <i>Pennsylvania.</i><br>Benjamin Franklin,<br>Thomas Mifflin,<br>Robert Morris,<br>George Clymer,<br>Thomas Fitzsimons,<br>Jared Ingersoll,<br>James Wilson,<br>Gouverneur Morris. | <i>Georgia.</i><br>William Few,<br>Abraham Baldwin.   |
| ATTEST.  | WILLIAM JACKSON, Secretary.   |

## RATIFICATION.

IN THE NAME OF THE PEOPLE OF PENNSYLVANIA.

*Be it Known unto all Men,—That We, the Delegates of the People of the Commonwealth of Pennsylvania, in General Convention assembled, have assented to and ratified, and by these presents do, in the name and by the authority of the same People, and for ourselves, assent to and ratify the foregoing Constitution for the UNITED STATES OF AMERICA.*

DONE in Convention, the 12th day of December, in the year 1787, and of the Independence of the United States of America, the 12th. In witness whereof, we have hereunto subscribed our Names.

FREDERICK A. MUHLENBERG, Prest.

|  |  |
|--|--|
| George Latimer,<br>Benjamin Rush,<br>Hilary Baker,<br>James Wilson,<br>Thomas M <sup>c</sup> Kean,<br>William M <sup>c</sup> Pherson,<br>John Hunn,<br>George Gray,<br>Samuel Ashmead,<br>Enoch Edwards,<br>Henry Wynkoop,<br>John Barclay,<br>Thomas Yardley,<br>Abraham Stout,<br>Thomas Bull,<br>Anthony Wayne,<br>William Gibbons,<br>Richard Downing,<br>Thomas Cheney,<br>John Hannum,<br>Stephen Chambers,<br>Robert Coleman,<br>Sebastian Graff, | John Hubley,<br>Jasper Yeates,<br>Henry Slagle,<br>Thomas Campbell,<br>Thomas Hartley,<br>David Grier,<br>John Black,<br>Benjamin Pedan,<br>John Arndt,<br>Stephen Balliott,<br>Joseph Horsefield,<br>David Deshler,<br>William Wilson,<br>John Boyd,<br>Thomas Scott,<br>John Nevill,<br>John Allison,<br>Jonathan Roberts,<br>John Richards,<br>James Morris,<br>Timothy Pickering,<br>Benjamin Elliott. |
| Attest. JAMES CAMPBELL, Secretary.   |  |

Friday, Dec. 14, 1787. A. M.

It was moved by Mr. Wilson & seconded by Mr. Baker, "That when the Constitution, proposed by the late General Convention, shall have been organized, this commonwealth will cede to the Congress the jurisdic.

tion over any place in Pennsylvania, not exceeding ten miles square, which, with the consent of the inhabitants, the Congress may choose, for the seat of the Government of the United States."

On motion of Mr. Wayne, seconded by Mr. Bull,

Ordered, That a committee be appointed, to take the foregoing motion into consideration, and make report thereon.

The committee agreed on, consists of Mr. Wilson, Mr. M'Pherson, Mr. Gray, Mr. Wynkoop, Mr. Coleman, Mr. Wayne, Mr. Grier, Mr. Morris, and Mr. Pickering.

On motion of Mr. Gray, seconded by Mr. M'Pherson,

The petitions relative to the cession of a district to the Congress, for the seat of the General Government, were read a second time, & referred to the above committee.

Ordered, that Mr. Baker, Mr. Balliott and Mr. Hoge be a committee of accounts, that they ascertain the mileage of each member, and such other expenses as are to be provided for by this Convention.

*Saturday, Dec. 15, 1787. A.M.*

The committee appointed to consider the motion of Mr. Wilson, relative to a cession to the United States of a district for the seat of the Federal Government, report the following resolution,

"That when the constitution, proposed by the late General Convention, shall have been organized, this commonwealth will cede to the Congress of the United States the jurisdiction over any place in Pennsylvania, not exceeding ten miles square, which with the consent of the inhabitants, the Congress may choose, for the seat of the government of the United States, excepting only the city of Philadelphia; the district of Southwark, and that part of the Northern Liberties included within a line running parallel with Vine street, at the distance of one mile northward thereof, from the river Schuylkill to the southern side of the main branch of Cohokshink creek, thence down the said creek to its junction with the river Delaware; but the marsh land, and so much of the adjoining bank on the same side of the said creek as shall be necessary for the erecting any dams, or works to command the water thereof, are excluded from this exception."

On the question being put, the Yeas and Nays were called by Mr. M'Kean and Mr. Whitehill, and were as follow.

*Yeas.*—George Latimer, Benjamin Rush, Hilary Baker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, Henry Wynkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, Nicholas Lutz, John Arndt, Stephen Balliott, Joseph Horsfield, David Deshler, William Wilson, John Boyd, John Nevill, John Allison, Jonathan Roberts, John Richards, Frederick A. Muhlenberg, James Morris, Timothy Pickering, Benjamin Elliott.

*Nays.*—John Harris, John Reynolds, Robert Whitehill, Jonathan Hoge, John Ludwig, John Bishop, James Martin, Joseph Powell, William Findley, John Baird, William Todd, James Edgar, Nathaniel Bredding, John Smilie, Richard Bard, Adam Orth.

So it was carried in the affirmative.

On motion of Mr. Pickering, seconded by Mr. Chambers,

*Resolved*, That it is the opinion of this convention, that until the Congress shall have made their election of a district for the place of their accommodation, they may have the use of such of the public buildings within the city of Philadelphia, or any other part of this state, as they may find convenient.

On the question being put, the Yeas and Nays were called by Mr. Wayne and Mr. Chambers, and were as follow:

*Yeas.*—George Latimer, Benjamin Rush, Hilary Ba-

ker, James Wilson, Thomas M'Kean, William M'Pherson, John Hunn, George Gray, Samuel Ashmead, Enoch Edwards, Henry Wynkoop, John Barclay, Thomas Yardley, Abraham Stout, Thomas Bull, Anthony Wayne, William Gibbons, Richard Downing, Thomas Cheney, John Hannum, Stephen Chambers, Robert Coleman, Sebastian Graff, John Hubley, Jasper Yates, Henry Slagle, Thomas Campbell, Thomas Hartley, David Grier, John Black, Benjamin Pedan, John Harris, Nicholas Lutz, John Arndt, Stephen Balliott, Joseph Horsfield, David Deshler, Joseph Powell, William Wilson, John Boyd, John Nevill, John Allison, Jonathan Roberts, John Richards, Frederick A. Muhlenberg, James Morris, Timothy Pickering, Benjamin Elliott.

*Nays.*—John Reynolds, Robert Whitehill, John Ludwig, John Bishop, James Martin, John Baird, James Edgar, Nathaniel Bredding, John Smilie, Richard Bard, Adam Orth.

So it was carried in the affirmative.

On motion of Mr. Chambers, seconded by Mr. Wayne, *Resolved*, That the President be directed to transmit to his Excellency the President of Congress, by the Secretary, the constitution as ratified by this convention, together with the resolution respecting the cession of territory and the temporary residence of the Honorable the Congress of the United States.

On motion of Mr. Hartley, seconded by Mr. Chambers, *Resolved*, That three thousand copies of the Federal Constitution, and the ratification thereof by this Convention, be printed in the English language, and two thousand copies in the German language, and delivered to the President, for the several members of this body, in proportion to the number of deputies from the several counties, to be distributed amongst their constituents.

The committee of accounts made report; whereupon *Resolved*, That the President draw an order on the Treasurer, in favor of James Campbell, Esquire, for forty-one pounds, for his service as Secretary to the Convention, including fifteen days allowance for completing the business.

In favor of Andrew Burkhard, Messenger, for his services, including four days allowance, for fifteen pounds.

In favor of Joseph Fry, Door-Keeper, for his services, including four days allowance, for fifteen pounds.

In favor of James Martin, for his services, for six pounds fifteen shillings.

In favor of the Secretary, for carrying the new constitution of the United States, and ratification thereof by this state, to Congress, for twenty pounds.

In favor of the Secretary, for four hundred pounds, to defray the printing of the minutes and other contingent expenses, and that he account with the Comptroller General for the same.

On motion, *Resolved*, That Mr. M'Kean, Mr. Latimer and Mr. Baker be a committee, for the purpose of revising the minutes and superintending the printing thereof.

On motion of Mr. M'Kean, seconded by Mr. Chambers, *Resolved, unanimously*, That the thanks of this convention be presented to the President, for the able and faithful manner in which he has discharged the duties of the chair.

**JAMES CAMPBELL, Secretary.**

Adjourned *sine die*.

### TAXES.

Believing that the subject of taxes is one which possesses general interest and which has never been fully placed before the public—we have with considerable labor formed, from authentic sources, the following table and calculations. The table exhibits the assessments of 1826 and 1829—The county taxes for the whole county—The several corporation taxes—The poor taxes for those districts which are under the jurisdiction of the Guardians of the poor—those for the townships we have not been able to procure. In the calculations following the table, an analysis is made, shewing, as we think, some very interesting results.

| COUNTY TAX 30 CTS. PER \$100.   |   |                 |                 |           |            |                   |  |           |             | CITY TAX 86 CTS. PER \$100. |           |                      |                 | POOR TAX 22 CTS. PER \$100. |                              |                      |  | TOTAL. |
|---------------------------------|---|-----------------|-----------------|-----------|------------|-------------------|--|-----------|-------------|-----------------------------|-----------|----------------------|-----------------|-----------------------------|------------------------------|----------------------|--|--------|
| DISTRICTS.                      |   | Rates.<br>1826. | Rates.<br>1829. | Personal. | Real.      | Total<br>Co. Tax. |  | Personal. | Real Estat. | Total<br>City Tax.          | Personal. | Dog 50<br>cts. each. | Real<br>Estate. | Total<br>Poor Tax.          | Tot. Taxes<br>City, Co. & P. |                      |  |        |
| Upper Delaware,                 | - | 1,220,181       | 1,261,635       | 363 80    | 3,784 92   | 4,148 72          |  | 1,088 55  | 10,862 12   | 11,950 67                   | 364 15    | 64 00                | 2,778 87        | 3,207 02                    | 19,306 41                    |                      |  |        |
| North Mulberry,                 | - | 550,256         | 716,918         | 279 90    | 2,150 74   | 2,430 64          |  | 849 00    | 6,156 26    | 7,005 26                    | 280 20    | 131 00               | 1,569 13        | 1,980 33                    | 11,416 23                    |                      |  |        |
| Lower Delaware,                 | - | 1,534,912       | 1,593,733       | 432 76    | 4,781 21   | 5,233 97          |  | 1,312 65  | 13,686 73   | 14,999 38                   | 452 55    | 65 50                | 3,508 85        | 4,026 90                    | 24,260 25                    |                      |  |        |
| South Mulberry,                 | - | 955,359         | 1,039,534       | 301 20    | 3,208 63   | 3,509 83          |  | 884 43    | 9,227 17    | 10,111 60                   | 301 20    | 69 00                | 2,362 38        | 2,732 58                    | 16,354 01                    |                      |  |        |
| High street,                    | - | 2,837,023       | 2,949,362       | 397 41    | 8,848 08   | 9,245 49          |  | 1,174 95  | 25,316 94   | 26,491 89                   | 398 58    | 37 00                | 6,458 04        | 6,923 62                    | 42,661 00                    |                      |  |        |
| North,                          | - | 1,624,711       | 1,711,745       | 413 40    | 5,135 23   | 5,548 63          |  | 1,205 85  | 14,673 34   | 15,879 19                   | 413 10    | 62 00                | 3,765 70        | 4,240 80                    | 25,668 62                    |                      |  |        |
| Chesnut,                        | - | 2,969,207       | 3,106,572       | 316 97    | 9,319 72   | 9,636 69          |  | 943 44    | 26,642 97   | 27,586 41                   | 316 97    | 58 50                | 6,815 50        | 7,190 97                    | 44,414 07                    |                      |  |        |
| Middle,                         | - | 1,309,543       | 1,357,545       | 256 89    | 4,072 64   | 4,329 53          |  | 771 87    | 11,684 38   | 12,456 25                   | 256 89    | 51 00                | 2,986 88        | 3,294 77                    | 20,080 55                    |                      |  |        |
| Walnut,                         | - | 2,200,110       | 2,240,399       | 291 12    | 6,720 90   | 7,012 02          |  | 72 31     | 20,066 57   | 20,138 88                   | 291 02    | 40 50                | 4,929 08        | 5,260 60                    | 32,411 50                    |                      |  |        |
| South,                          | - | 1,267,370       | 1,467,345       | 256 15    | 4,402 04   | 4,658 19          |  | 738 60    | 12,617 44   | 13,356 04                   | 246 45    | 40 50                | 3,228 19        | 3,515 14                    | 21,529 37                    |                      |  |        |
| Dock,                           | - | 1,817,022       | 1,921,924       | 366 61    | 5,765 75   | 6,132 36          |  | 1,093 35  | 16,549 08   | 17,642 43                   | 365 61    | 45 00                | 4,228 62        | 4,639 23                    | 28,414 02                    |                      |  |        |
| Locust,                         | - | 1,235,877       | 1,655,472       | 401 44    | 4,966 44   | 5,367 88          |  | 1,208 64  | 14,262 45   | 15,471 09                   | 402 44    | 141 00               | 3,648 21        | 4,191 65                    | 25,030 62                    |                      |  |        |
| Pine,                           | - | 1,173,175       | 1,257,165       | 304 00    | 3,771 49   | 4,075 49          |  | 915 15    | 10,867 72   | 11,782 87                   | 305 00    | 47 00                | 2,765 78        | 3,117 78                    | 18,976 14                    |                      |  |        |
| Cedar,                          | - | 518,113         | 629,068         | 210 92    | 1,887 19   | 2,098 11          |  | 967 50    | 10,926 03   | 11,893 53                   | 210 92    | 88 00                | 1,384 50        | 1,683 42                    | 15,675 06                    |                      |  |        |
| New Market,                     | - | 1,156,941       | 1,264,469       | 323 22    | 3,793 40   | 4,116 62          |  | 650 51    | 5,469 58    | 6,040 09                    | 323 22    | 25 50                | 2,782 76        | 3,131 48                    | 13,288 19                    |                      |  |        |
| Total City,                     | - | 22,369,800      | 24,203,786      | 4,935 79  | 72,608 38  | 77,544 17         |  | 13,856 80 | 208,948 78  | 222,805 58                  | 4,928 30  | 965 50               | 53,242 49       | 59,136 29                   | 359,486 04                   |                      |  |        |
| Northern Liberties, First Ward, | - | 766,892         | 790,270         | 217 40    | 2,370 85   | 2,588 25          |  | 217 65    | 3,915 41    | 4,133 06                    | 217 40    | 67 00                | 1,738 59        | 2,022 99                    | 8,744 05                     |                      |  |        |
| Second,                         | - | 599,590         | 678,430         | 205 75    | 2,035 29   | 2,241 04          |  | 205 15    | 3,364 16    | 3,569 31                    | 205 75    | 32 50                | 1,492 53        | 1,730 78                    | 7,541 13                     |                      |  |        |
| Third,                          | - | 604,994         | 645,814         | 238 55    | 1,937 40   | 2,175 95          |  | 239 40    | 3,186 85    | 3,426 25                    | 229 90    | 66 50                | 1,420 88        | 1,717 28                    | 7,319 48                     |                      |  |        |
| Fourth,                         | - | 385,275         | 463,688         | 159 70    | 1,397 10   | 1,556 80          |  | 161 15    | 2,304 22    | 2,465 37                    | 159 20    | 57 50                | 1,024 63        | 1,241 33                    | 5,263 50                     |                      |  |        |
| Fifth,                          | - | 538,787         | 634,840         | 290 90    | 1,904 52   | 2,195 42          |  | 190 05    | 3,134 05    | 3,424 20                    | 290 90    | 102 00               | 1,396 46        | 1,789 36                    | 7,408 98                     |                      |  |        |
| Sixth,                          | - | 298,081         | 383,735         | 180 75    | 1,151 24   | 1,331 99          |  | 180 05    | 1,970 59    | 2,150 64                    | 180 50    | 70 00                | 844 22          | 1,094 72                    | 4,577 35                     |                      |  |        |
| Seventh,                        | - | 332,675         | 396,184         | 145 50    | 1,188 57   | 1,334 07          |  | 145 85    | 1,955 12    | 2,100 97                    | 139 50    | 78 50                | 871 55          | 1,089 55                    | 4,524 59                     |                      |  |        |
| Unincorporated,                 | - | 848,713         | 845,728         | 119 65    | 2,537 25   | 2,656 90          |  | 293 25    | 2,897 30    | 3,190 55                    | 119 65    | 154 00               | 860 60          | 2,134 25                    | 4,791 15                     |                      |  |        |
| Kensington East,                | - | 513,588         | 579,462         | 293 30    | 1,738 39   | 2,031 69          |  | 326 55    | 2,720 27    | 3,046 82                    | 293 30    | 210 50               | 1,274 56        | 1,778 36                    | 7,000 60                     |                      |  |        |
| West,                           | - | 446,370         | 543,915         | 326 30    | 1,631 79   | 1,958 09          |  | 428 50    | 8,825 13    | 9,253 63                    | 326 60    | 201 50               | 1,197 09        | 1,725 19                    | 6,730 10                     |                      |  |        |
| Penn Township,                  | - | 2,305,430       | 2,636,114       | 536 46    | 7,908 33   | 8,444 79          |  | 438 50    | 8,825 13    | 9,253 63                    | 536 90    | 471 50               | 4,799 29        | 6,87 69                     | 24,506 11                    |                      |  |        |
| Blockley,                       | - | 820,365         | 857,415         | 238 45    | 2,572 02   | 2,810 47          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Kingsessing,                    | - | 382,877         | 395,245         | 67 47     | 1,185 63   | 1,253 12          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Passyunk,                       | - | 580,999         | 630,103         | 86 40     | 1,890 17   | 1,976 57          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Moyamensing,                    | - | 616,867         | 730,069         | 311 80    | 2,190 23   | 2,502 03          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Southwark, East,                | - | 1,175,429       | 1,309,134       | 456 89    | 3,927 41   | 4,384 30          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| West,                           | - | 793,787         | 992,933         | 416 85    | 2,978 82   | 3,395 67          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Roxborough,                     | - | 427,693         | 508,859         | 215 59    | 1,526 56   | 1,742 15          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| German town,                    | - | 760,735         | 761,671         | 299 96    | 2,285 09   | 2,585 05          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Oxford,                         | - | 507,532         | 534,091         | 171 70    | 1,602 31   | 1,774 01          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Bristol,                        | - | 358,807         | 389,688         | 96 84     | 1,169 14   | 1,265 98          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Lower Dublin,                   | - | 488,869         | 515,517         | 183 33    | 1,546 56   | 1,728 89          |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Byberry,                        | - | 233,385         | 228,999         | 68 10     | 686 97     | 755 07            |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Moreland,                       | - | 122,901         | 95,097          | 27 82     | 285 29     | 313 11            |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Total County,                   | - | 14,910,641      | 16,549,001      | 5,354 46  | 49,646 95  | 55,001 41         |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
| Total City and County,          | - | 37,280,441      | 40,751,787      | 10,290 25 | 122,255 53 | 132,545 58        |  |           |             |                             |           |                      |                 |                             |                              |                      |  |        |
|                                 |   |                 |                 |           |            |                   |  |           |             |                             |           |                      |                 |                             |                              | *Excluding Poor Tax. |  |        |
|                                 |   |                 |                 |           |            |                   |  |           |             |                             |           |                      |                 |                             |                              | *Including Poor Tax. |  |        |

\*Including Poor Tax.

\*Excluding Poor Tax.

The Taxes in the city are equal to about 1 48 per cent. on the assessment.

The amt. of tax on real estate in the city is 334,799 65  
do. personal tax, - - - 23,720 89  
do. dog do. - - - 965 50

Total taxes on City, - - - \$359,486 04

The Tax on real estate in the city is at the rate of about 1 38 per cent. on its assessed value.

The city pays 58 per cent. of the whole county tax. There were 16556 taxables in the city, which divided into the amount of taxes will give an average of \$21 71 as the proportion which each taxable would pay supposing all to pay alike—or, calculating 5 Inhabitants to one taxable each person would pay \$4 34.

Upon the same principle each taxable in the Northern Liberties would pay \$8 18 each person \$1 63  
Kensington, do. 4 47 do. 88  
Penn Township, do. 11 11 do. 2 22  
Southwark, do. 9 33 do. 1 86  
Moyamensing do. 5 84 do. 1 17

The corporation taxes of the City are at the rate of 86 cts. per \$100. Do. of N. Liberties 50 per 100.

Do. of Kensington 50 do.  
Do. of Penn T. 50 do.  
Do. of Southwark 60 do.  
Do. Moyamensing exclusive of poor tax 85 do.

The poor taxes assessed on the city and districts under the care of the Guardians is at the rate of 22 cts. per \$100 and amount to \$88,508 69

Of which the City pays 59,136 29  
N. Liberties 10,686 01  
Do. unincorporated, 2,134 25  
Kensington 3,503 55  
Penn T. 6,807 69  
Southwark 6,240 90

The remaining districts of the county support their own poor and levy their own poor taxes.

The poor tax of Moyamensing is 40 cts per \$100 or 3,073 52.

The corporation tax for the City amounts to \$222,805 58  
Do N. Liberties 21,269 80  
Do Kensington 6,237 37  
Do Penn Township 9,253 63  
Do Southwark 14,686 17  
Moyamensing exclusive of poor tax 4,737 15

The preceding table enables us to form a comparative estimate of property between the two periods of assessment—and exhibits those portions of the city and county, which from improvements or other causes have rapidly enhanced in value.

The value of the city property in 1826 was \$22,369,800  
The same - - - 1829 was 24,202,786

Being an increase of - - - 1,832,986

Or at the rate of 8.20 per cent.

The value of the remaining portions of the county including the districts was in 1826 14,910,641  
Do 1829 16,549,001

Being an increase of - - - 1,638,360

Or at the rate of about 11 per cent.

The value of the City & Co. in 1826 was 37,280,441  
Do. 1829 was 40,751,787

Increase in three years - - - 3,471,346

Or at the rate of 9.31 per cent.

If 50 per cent. be added to the assessed amount of property (it being generally understood that the assessments are at least this much below the actual value there may be some instances to the contrary) the value of the city would be 36,304,179.

The following tables show the relative increase of the different wards of the city.

| Eastern Wards.       | Increase in 3 years. | Rate per cent. of increase. |
|----------------------|----------------------|-----------------------------|
| Upper Delaware - - - | \$41,454 - -         | \$3 40                      |
| Lower Delaware - - - | 58,821 - -           | 3 83                        |
| High - - -           | 112,339 - -          | 3 96                        |
| Chesnut - - -        | 137,365 - -          | 4 63                        |
| Walnut - - -         | 40,189 - -           | 1 82                        |
| Dock - - -           | 104,902 - -          | 5 76                        |
| Pine - - -           | 83,990 - -           | 7 15                        |
| New Market - - -     | 107,528 - -          | 9 29                        |
| Total - - -          | 686,588 - -          | Average 4 60                |

| Western Wards.       | Increase in 3 years. | Rate per cent. of increase. |
|----------------------|----------------------|-----------------------------|
| North Mulberry - - - | \$166,662 - -        | \$30 29                     |
| South Mulberry - - - | 114,175 - -          | 11 95                       |
| North - - -          | 87,034 - -           | 5 36                        |
| Middle - - -         | 48,002 - -           | 3 74                        |
| South - - -          | 199,975 - -          | 1 57                        |
| Locust - - -         | 419,595 - -          | 33 95                       |
| Cedar - - -          | 110,955 - -          | 21 41                       |
| Total - - -          | 1,146,398 - -        | Average 15 36               |

From these tables it appears that while the 8 eastern wards, (which were rated in 1826 to be worth \$14,908,571 and in 1829, \$15,595,159) have increased only at the rate of 4.60 per cent.—the 7 western wards (which in 1826 were valued at 7,461,229 and in 1829 at 8,607,627) have increased at the rate of 15.36 per cent.—thus furnishing a striking proof that the improvements are rapidly advancing toward the western part of the city—which must be attributed to the rapid increase of population and to the facilities afforded to the trade of the Schuylkill by means of canals, and to the introduction of coal—and furnishes also a pleasing promise of the future extent and value of that part of the city, when the buildings on the Schuylkill will be as numerous as they now are on the Delaware, and when, by the completion of the Pennsylvania canal and the Columbia rail road, the products of the remote parts of the state, shall be transported at a small expense to our wharves.—This view of the subject, therefore shews how important it is to this City that these public works should not be retarded—and that the great trade which they must open to us, should not be diverted from us into other channels.

The almost stationary value of the eastern parts of the city, which have usually been considered the business part of it—would at first view seem to indicate a comparative declension of property from some cause or other—but we believe upon inquiry that this is not the fact—but that on the contrary property there is at as high a price now as it was some years previously to the assessment; yet when it is considered, that there is very little room for further improvements by building, and that family residences are generally occupying the western portion of the city, and that consequently many stores are following the tide of population; and that foreign commerce has declined; it is probable that property in the eastern wards has, for the present, attained its maximum value, and must so continue, until a new impulse is given to trade in that quarter. If therefore becomes an important inquiry how this impulse is to be given.—For a revival of foreign commerce, there seems to be very little encouragement to hope—we must therefore, look for it from some other quarter. Judging from the effects of the improvements of the Schuylkill, on property in its vicinity—it is reasonable to calculate that like effects would be produced by the completion of the public work already commenced and now in progress on the Delaware, and by connecting them with others which are deemed practicable—and calculated to bring to us a considerable portion of the Susquehanna trade by means of the Nescopee canal; and the trade of the western parts of New York, by water communications which it is thought by many may be made.

As connected with this subject,—the opening of the Chesapeake and Delaware canal must be hailed as a very important event to this city, as a portion of the Susquehanna trade will no doubt find its way to this city thro' it.

The 7 wards of the NORTHERN LIBERTIES were assessed in 1826 at, - - - 3,526,294  
and in 1829 at, - - - 3,994,961

Increase in three years, 468,667

Or at the rate of 13.29 per cent.

| Names of Wards. | Increase in 3 years. | Rate per cent. of increase. |
|-----------------|----------------------|-----------------------------|
| First, - - -    | \$23,378             | - 3 04                      |
| Second, - - -   | 78,840               | - 13 14                     |
| Third, - - -    | 40,820               | - 6 74                      |
| Fourth, - - -   | 80,413               | - 20 87                     |
| Fifth, - - -    | 96,053               | - 17 82                     |
| Sixth, - - -    | 85,654               | - 28 73                     |
| Seventh, - - -  | 63,509               | - 19 11                     |

Total, - - - 468,667

The unincorporated N. L. are not assessed as much in 1829 as in 1826, by \$2,985.

EAST KENSINGTON was assessed in 1826 at 513,588  
Do do do 1829 at 579,462

Increase in three years - - - 65,874

Or at the rate of 12.82 per cent.

WEST KENSINGTON was assessed in 1826 at 446,370  
Do do do 1829 at 543,915

Increase in three years - - - 97,545

Or at the rate of 21.86 per cent.

Total increase of E. and W. Kensington 163,419 or 17.02 per cent.

PENN TOWNSHIP, assessed in 1826 2,305,430  
Do do 1829 2,636,114

Increase at the rate of 13.36 per cent. or 330,684

The corporation assessment is \$1,764,924

MOYANENSING has increased 112,202, or at the rate of 18.34 per cent.

EAST SOUTHWARK was assessed in 1826 at 1,175,429  
Do do 1829 at 1,309,134

or 11.37 per cent. 133,705

WEST SOUTHWARK was valued in 1826 at 793,787  
Do do do 1829 at 992,933

Increase in three years 199,146

or at the rate of 25.09 per cent.

Total increase of E. and W. Southwark 332,851 or 16.90 per cent.

PASSTUNK has increased 49,104 or 8.45 per cent.  
BLOCKLEY do 37,050 or 4.51 do.  
KINGSBESSING do 12,368 or 3.23 do.  
ROXBOROUGH do 81,166 or 18.97 do.  
GERMANTOWN do 936 or 13 do.  
OXFORD do 26,559 or 5.23 do.  
BRISTOL do 30,881 or 8.60 do.  
LOWER DUBLIN 26,648 or 5.45 do.  
BYBERRY has decreased - - - \$4,386  
MORLAND do - - - 27,804

We would invite similar inquiries from different parts of the state, believing that they would be useful and interesting. It would be satisfactory, to be able to compare our taxes with those of other cities—but for this we have not the necessary information. It may, perhaps be proper to observe that we have taken the county assessments as the basis of our calculations, they differ in some instances from the corporation assessment owing to allowance, &c.

## LAW CASE.

*Essentials of a Recognizance for an Appeal from the judgment of a Justice.*

Stroud  
vs.  
Akel. } C. P. No. 6. Sept. 1827.

The only difficulty felt by the court in this case arises from some recent decisions of the supreme court, which are supposed to establish that such a recognizance as that taken and certified by the Justice in this case is a nullity on which no recovery can be had. If this position can be well founded, it is much to be regretted, for it is doubtful whether there is a recognizance taken in any appeal on our records more formal; and certain it is that very many are much less so.—The results of a judgment for the defendant are therefore easy to be imagined. Still, if the justice has not in this instance conformed to what our superior tribunal has authoritatively pronounced to be the law; the stern principle of jurisprudence points out our duty, let consequences be what they may. Then, *however* much public evil arises from a particular course of decision, although such a consideration cannot properly give a particular direction to an adjudication, yet it properly requires us to see our way quite clear in pronouncing it.

The act of Assembly under which this recognizance was taken, requires, that on an appeal from the decision of a Justice of the Peace, the bail "to be taken by the Justice shall be conditioned for the appearance of the party appealing at the next court of common pleas, to prosecute his suit with effect, and on failure thereof that the bail will, on or before the first day of the next term after judgment shall be rendered against the principal, surrender him to the gaol of the proper county."

The transcript of the justice, setting forth the recognizance on which this proceeding has been instituted, is as follows: "Now, Nov. 20th, 1826, Defendant appealed from the annexed judgment against him to the next court of common pleas in and for the county of Philadelphia.—Recognizance by defendant and Jeremiah Akel each in the sum of \$90, conditioned that defendant prosecutes his appeal with effect," which entry was signed by the original defendant and Akel the bail. It is certain that neither the precise language of, nor all that is strictly demanded by the act of Assembly, is here set forth, but there is "substance capable of being worked into form." In the Commonwealth vs. Emery, 2 Binn. 431, a recognizance at *common law*, much more bold and disjointed was held sufficient and for the satisfactory reasons, "that in all countries there are particular modes of doing business which are known and regarded by their courts; and that in this Commonwealth the records of courts of justice consist principally of short entries *not reduced to form*; that it was sufficient if these entries contained substance capable of being worked into form; and that it was reasonable to apply the same rule to recognizances taken by magistrates out of court." Whenever the proceedings of justices of the peace have come before our courts, they have felt the necessity of treating them with liberality and not scanning them with too cursory an eye. The late Judge Duncan, on this subject, remarks, that "when indulgence is extended where regularity should be looked for, it ought not less to prevail in proceedings before justices of the peace, where knowledge of legal forms is not to be expected, and *where if forms* were strictly regarded, the jurisdiction would be extinguished." Cockran vs. Parker, 6 Serg. & Rawle, 552.

In the case from which this judicious reflection is taken, the justice originally took a recognizance in this form, "John Cockran, Esq. bound as bail to appeal according to law." Subsequently, on a rule to amend and perfect his return, the justice returned "that the transcript of 27 ap. 1818, was a correct copy of his dock-



et entry, and that the recognizance was taken in due form of law, in double the amount of debt and costs, amounting to 74 dollars 12 cents, John Cockran the bail, fully consenting thereto." Although the decision of the S. Court refusing to sustain the dismissal of this appeal by the common pleas, went on the ground of acquiescence. Yet the able judge considered that this contained the substance of a legal recognizance; the parties' names, cognizor and cognizee; and the amount and purpose for which it was taken."—In the Commonwealth vs. Emery, a recognizance containing these essentials was the foundation of the judgment of the court, which reversed a decision of Judge Rush, who held such an "inartificial paper to be no evidence of a legal recognizance. From the Commonwealth vs. Emery, in 1810, down to Cockran vs. Parker in 1821, the reasoning and adjudications of the Supreme Court, are in our judgment with this plaintiff. Subsequent adjudications are, however, supposed to have introduced new and more rigid doctrines, and that by their standard must this recognizance be rendered. The cases alluded to, however, do not, to our apprehension, modify or vary any previous settled principle of our jurisprudence, but are decided solely on their own circumstances. In the first of them, "King vs. Cubbertson, 10th Serg. & Rawle 325, the justice took a recognizance on an appeal conditioned," that Alexander Osburn should appear at the next court of common pleas, to be holden for the County of Franklin, and prosecute the said suit with effect; and on failure thereof, he, the said John King, the bail of the said Alexander Osburn, would pay the debt and costs on the said suit to the plaintiff."

Here was not the case of an informal recognizance, but of one remarkably precise in its terms, into which was introduced an all important condition not authorized by law, to wit: an absolute obligation from the bail, to pay debt and costs in the event of a failure by the appellant to prosecute his appeal with effect, when the law rendered this obligation contingent and dependent on a failure by the bail to surrender his principal within a prescribed period. This also seems to us to be the doctrine of Bolton vs. Robinson, 13 Serg. and Rawle 193, and of Donaldson vs. Cunningham, 13 Sergt. and Rawle, 245. Besides these latter cases arose from proceeding in court, under a different act of Assembly from that under consideration, in which the form of recognizance designated by law, was totally departed from: whereas, in this case, the stipulation to 'prosecute the appeal with effect,' is one of the precise conditions directed, and the recognizance if defective at all, is only so from not setting out all the conditions which might have been inserted in a more formal instrument. In Bolton vs. Robinson, the court intimate a distinction between a condition of several parts, some of which are good and some bad, and one wholly bad. Without entering into this learning our judgment is, that the analogy of the cases relied on by the defendant are too remote to countervail the more positive authority of the Commonwealth vs. Emery, and of Cockran vs. Parker. There must be judgment for the plaintiff.

*U. S. Gaz.*

### THE CHARCOAL TRADE.

Few of our citizens, although they are eternally beset by Charcoal Jemmies, have any idea of the extent to which this business has already arrived in Philadelphia. Not less than eighty wagons are daily in our streets, vending this now indispensable article of fuel, and each teamster generally contrives to sell out his load during the day. A load is worth 10 dollars wholesale, or about 15 dollars if retailed out by the barrel. Thus, if eighty loads are sold daily, at ten dollars each, we have an amount equal to eight hundred dollars, expended every day in this city for Charcoal. The sum may appear too great to be correct; but we are assured by those well acquainted with the trade, that it is a fair estimate; and

indeed, when it is remembered how perpetually our streets are thronged with wagons, at all hours in the day, the sum will not be thought exaggerated.

The profits realized by burning and selling of Charcoal are enormous. Out of a load which sells for ten dollars, a profit of 5 dollars is made, clear of all expenses: and when it is retailed at 28 to 31 cents a barrel, an additional gain of about two dollars on the load is the result. If this profit is realized now, how enormous must it have been last winter, when Charcoal was scarce at half a dollar per barrel. Several individuals had large yards filled during the summer, in expectation of the winter's demand, when the closing of the navigation would cut off all additional supplies from Jersey. As fuel became scarce, they demanded the extortionate price of half a dollar per barrel, and received it for nearly the whole amount of the immense stock they had on hand—thus, realizing, out of the distresses of the people, a most exorbitantly unfair profit.

The impositions practised upon our citizens by the venders of Charcoal have been frequently complained of in the newspapers, and are well known to house-keepers generally; yet no measures have been taken to regulate the sale of the article, and thus to do away their dishonest tricks. We have known instances where gentlemen have engaged from ten to twenty barrels of a man in the street, at 28 cents per barrel, and sent him to the purchaser's house, with directions there to be paid. The wagoner, on delivering the charcoal, has demanded, and insisted on receiving, 37 cents from the lady of the house, saying that that was the price which her husband had agreed to pay.

So great and undiminished is the demand for this new article of fuel, that snug fortunes have been already realized by several individuals in and near Camden, while others, but recently embarked in the business, are rapidly arriving at the same desirable goal. The burning process is carried on in every direction around Camden.—Some manufacturers are located as far distant as twenty miles from the same place, in the heart of the dense pine lands of New Jersey; yet, with all the expense attending the transportation of an article so bulky, an enormous profit is still realized on the sale of it. We look upon the introduction of stone coal as the main cause of starting this new business. Thus the state of Pennsylvania, while she enriches herself from new resources existing altogether within herself, scatters a large portion of the funds realized by the coal trade into the hands of her less fertile sister state. Indeed, the discovery of anthracite may be considered of nearly as much present advantage to New Jersey as that discovery is to Pennsylvania herself. Yet, while it creates a steady demand for these forests of pines, which but a few years ago were wholly useless, it affords, as an offset to the golden shower now rained down upon her, the gloomy prospect of laying bare the barren fields on which her forests flourish, unfit for cultivation, and for the next half century, incapable of yielding even a second crop of pine.—*Saturday Bulletin.*

### OPENING OF THE CHESAPEAKE & DELAWARE CANAL.

This work, one of the most important to the city of Philadelphia and indeed to the United States, having been completed and ready for navigation, it was determined to celebrate the event with appropriate ceremonies. A letter was accordingly addressed to the President of the United States, requesting him to fix a day on which it would be convenient for him to attend and join in the festivities of the occasion. Official engagements however having prevented his acceptance of the invitation, on Saturday last, the 17th inst. was selected. The Governors of the States of Pennsylvania, Maryland, and Delaware, with others of the principal officers, were also invited, and a number of gentlemen

from those states, as well as from the city of Philadelphia.

At 7 o'clock, the President, several of the Directors, and the Secretary of the Company, left Arch st. wharf in the new and splendid steam-boat William Penn.—They were accompanied by upwards of two hundred persons, among whom were Mr. Livingston and Mr. Johnson, of the Senate; Mr. Hemphill, Mr. Miller, Mr. Sutherland, of the House of Representatives, Judge Hopkinson, Mr. Sergeant, the Mayor and Recorder of the city, Judge Cox, Count Eugene Ney, Mr. DeWalleinstein, of the Russian Legation, Admiral Sir Isaac Coffin, Col. Miller of the marine corps, Mr. W. Beach Lawrence of New-York, and a number of other distinguished citizens and strangers. The Company of Washington Greys, with an excellent band of music, were also on board, and by their soldier-like and gentlemanly conduct added greatly to the interest of the ceremonies.—At Chester the boat stopped to receive Commodore Porter, Mr. Leiper, Mr. Miner, Judge Anderson, and a number of gentlemen of the neighborhood; and at New Castle the party were joined by Mr. Johns, the representative in Congress, Mr. Rogers, the Attorney General, and many other gentlemen of Delaware.

About half after ten the William Penn reached Delaware City, the entrance of the Canal, where two other steam-boats full of passengers had already arrived. After a salute from the artillery on the pier, the company entered the barges on the Canal, which were waiting, and proceeded along it to the Lock at St. George's, where the United States Schooner Engineer was lying, decorated with flags, and from which a national salute was fired. At the Summit Bridge the barges passed the brig Scioto, the banks being lined with crowds of persons from the surrounding country. About two o'clock the barges reached the Western Locks, and passed into the waters of the Chesapeake amid the huzzas of the crowd and the noise of artillery. At this place many distinguished gentlemen of Maryland were collected together, and some time was spent in examining the works, which appeared to give very general satisfaction. Before leaving this place to return, Mr. Robert M. Lewis, Chairman of the Committee of Works, announced to the President the completion of the Canal in the following address:

*Mr. President:—*

We are assembled this day to witness the consummation of our long and anxious labors. The great work in which we have been engaged is so far completed as to open a navigable communication between the waters of the Delaware and the Chesapeake. To you, Sir, and to my colleagues of the Board of Directors, it is unnecessary to recount the progress of this vast undertaking; its history is familiar to you all. But to my hearers generally a brief sketch of it may not be uninteresting. According to the original plan, the canal would have been less capacious than it is now made; but, after mature reflection, it was deemed advisable to fix its dimensions at sixty feet on the water line, and ten feet in depth; with locks of 100 feet (in the chamber,) in length, by 22 feet in width. By this increased capacity a passage will be opened between the Delaware and Chesapeake bays for the largest vessels that usually navigate them, as well as for sea vessels of the smaller class.

The canal, from its eastern termination at the tide lock, opposite Fort Delaware, pursues a direction about south-west, through a marsh, or peat bog, for upwards of three miles, until it reaches the village of St. Georges; where a lock, of eight feet lift, opens a communication with the upper level, continuing nearly the same direction along St. Georges creek, until within a mile of the summit bridge, where the deep cutting commences; thence passing through the ridge that divides the waters of the Chesapeake and Delaware, and following the valley of Broad creek to the western lift lock; where, by a fall of six feet, it communicates through the tide lock with Dack creek, a branch of Elk river. The whole

length being 13½ miles. The work was commenced on the 15th of April, 1824; and the first excavation made by my worthy predecessor, in the station of Chairman of the Committee of Works—the lamented Silas E. Wier; who began with us in this enterprise with his accustomed ardor, and faithfully performed the duties of that office, as he did those of every other in which he was engaged, until the hand of death terminated his career of usefulness.

Your passage along the canal has afforded a general view of it; but *that* can give you no adequate idea of the difficulties which have been encountered in its accomplishment. In the marshes, on the lower level, you merely saw banks of about fifteen feet in height; but you are perhaps yet to learn, that a considerable proportion of these apparently small embankments are from twenty to sixty feet, and probably some parts 100 feet, below the surface of the marsh; having sunk these depths before they found a solid foundation on which to rest. And some estimate may be made of the earth that was thus swallowed up, when you are informed that it required the continued labour of about 200 men for nearly three years, and involved an expenditure of several hundred thousand dollars, to complete this part of the work.—But it is done. Difficulties of another kind were encountered in the deep cutting, where the excavation for about four miles ranges from fifteen to seventy-six feet through various strata of alluvial formation. Some of them composed of indurated clay, and others of quick sand, not only retarded the work by the difficulty of their removal, but increased its cost by causing immense masses of the sides of the canal to fall in.

To prevent a recurrence of these disasters, the banks have been supported by some thousands of deeply driven piles, and by a stone wall of about thirteen feet in height, from two to five feet in thickness, and extending upwards of three and a half miles in length, on each side.—These measures, although they have added much to the security of the work, have also greatly added to the original estimate of its cost, as they were not contemplated.

We have laboured under the disadvantages of a long series of unusually wet weather, which has retarded our progress; and some of our dismissed contractors have brought the strong arm of the law to bear so heavily on the work, as for a time to paralyze a part, and delay the whole.

These are but the outlines of some of the most prominent obstacles that have been met. *On the work*, difficulties of another character, and not less alarming, have also been encountered; and on reviewing them, it is not a matter of surprise that this canal should have cost upwards of two millions of dollars, but rather that it has been accomplished at all.

Its completion, however, is no longer doubtful; and the Board of Directors fully believing in its permanency, think the time is not distant, when its stockholders will be amply repaid for their enterprise and confidence.

It is true, disasters and difficulties have passed like dark and lowering clouds across our path, and *made it gloomy*; but never, for a moment, *made us despond*. Having commenced the task, and pledged ourselves to the performance of its duties, we had but one honourable course to pursue, and *that was onward*.

Although we were assailed by the cavillings of a few enemies—and heard the whispered fears of many timid friends—yet whilst we were supported by the General Government, by the states of Pennsylvania, Maryland and Delaware; by the Public Institutions of Philadelphia—and above all, by the public feeling—we never hesitated in our course, but cheered on by the approving voice of our constituents, we had only with all our energy to press forward to the great object we had in view. That object is now attained. A new channel has been opened between the North and the South.

The peninsula which separated the waters of the Delaware and Chesapeake, has been, with a deep cut, cleft asunder; and on the canal, you have passed that barrier 70 feet below its surface.

Mr. President and my colleagues of the Board of Directors:—This day must be to you some recompense for your years of toil. It is a noble source of pleasure, to be able to show to your fellow citizens, that by your untiring efforts a great public improvement, by many deemed hopeless, has been successfully accomplished.

And to you, Mr. President, who have so long and anxiously presided over our labours, and in the vale of life, kept pace with those in the vigour of manhood, in the performance of arduous duties, it must afford no little gratification, on your intended retirement, that you have participated in the achievement of a great public benefit.

And now, sir, I have the most pleasing of all my duties to perform, in reporting, as Chairman of the Committee of Works, that the Chesapeake and Delaware Canal is open for navigation.

I am sure that all in this assembly will cordially join with me in the hope that this canal may amply remunerate its stockholders, greatly contribute to the public good—and its usefulness only cease when the waters of the Delaware and the Chesapeake shall cease to flow.

To this Mr. James C. Fisher, the President of the Company, made the following reply:—

*Mr. Chairman of the Committee of Works:*

SIR—I have heard your address with much pleasure. It announces the completion of a great work, which we have all this day witnessed. The handsome manner in which, on behalf of the Committee, you have elucidated all the operations, and the serious difficulties they, in particular, and the other gentlemen of the direction have had to contend with, calls for a just tribute to the perseverance and great attention by which they have accomplished an object that has long been wished for.

This day, sir, is a day of jubilee to us all, but it is particularly so to those gentlemen, who, united with myself, made the first attempt, twenty-six years ago, to connect, by a canal, the waters of the Chesapeake and Delaware. Of these, Mr. Joshua Gilpin is the only one now present.

Our attempt then failed for want of funds; but, about five years ago, a number of patriotic gentlemen of Philadelphia opened a new subscription to construct this canal, and about four hundred thousand dollars were subscribed by individuals in that city; that sum, with the aid received from the United States, the states of Pennsylvania, Maryland and Delaware, as well as from loans made by individuals and corporate institutions, has supplied the means of accomplishing the great work, the termination of which we now celebrate.

I trust that ere many months we shall behold the vast trade for which it is contemplated, passing on this canal, which, while it produces eventually a handsome revenue to the stockholders, will confer an invaluable service on the nation.

On arriving at the Delaware the Company found on board the steamboat an excellent dinner, prepared by Mr. Inslee, to which they sat down. After dinner, Mr. Nicholas Biddle, the President of the Bank of the United States, in rising to offer a toast, addressed the party in the following excellent speech.

#### MR. BIDDLE'S ADDRESS.

MR. PRESIDENT: I congratulate you on the event which we are assembled to celebrate. We all rejoice with you at the accomplishment of this great undertaking—at once a national honour and national blessing.—This is indeed a day of triumph—not a common and sanguinary victory—not a day of successful strife of men over their fellow-men, too often provoked by crime—of

tener achieved by hazard—and always shadowed with the sufferings by which success is won—but it is a day of pure and unstained exultation. It is the triumph of genius over nature; the triumph of resolute industry over obstacles deemed insuperable.

More than two centuries have passed since this work was contemplated by the earliest adventurers to the Chesapeake, one of whom, Sir James Argol, wrote to England in 1613, that he hoped to make a cut “between our Bay and the Delaware.” About sixty years ago it engaged the public attention, but it languished among the dreams or the hopes of men, until within a few years it felt the impulse of that awakened spirit of improvement which since the last war has probably achieved more in this country, than the efforts of all Europe have accomplished in the same period. It was then that the concurring aid of private enterprise, of the liberality of the three states more immediately interested in its success, and eminently the wisdom of that congress, many of whose distinguished members gladden this assembly with their presence, produced the result which we are now enjoying. It will justify and perhaps increase that enjoyment, if we glance for a moment backward on its difficulties, and forward to its advantages. Its difficulties, like all difficulties, seem far less now they are vanquished, but we have this day seen enough to enable us to estimate them. We saw that mountain through which we glided so gently, rent widely asunder for many miles by human hands—we saw in its lowest recesses the ocean sands which so many ages have toiled to cover, glistening once more in the sunshine—we met there that vessel with all her lofty array of masts and spars, large enough to go forth and circumnavigate the globe, yet overawed as it were by those summits which frowned darkly down on that strange intruder. But this divided mountain, in itself a work of art without parallel in this country, was at least a calculable obstacle. A greater danger lay in those treacherous morasses which seemed to shrink as they were approached, and threatened to absorb in their obscure depths all that industry could accumulate there. It is an extraordinary fact, and one which I should fear to mention could it not be vouched by so many who hear me, that some of the borders of the canal on which we this day trod so firmly, sunk to a perpendicular depth of one hundred feet, if not more. It was then that all the hazards of their enterprise crowded on the projectors of it. The original design had been reproached as visionary—its condition was then pronounced hopeless—and hopeless it would have been, but that the spirit of those who directed it, rising with the pressure of the danger, made every obstacle yield to the stubbornness of their unbroken resolution. It is their high reward that these anxieties are now crowned with success;—it is our higher duty to testify, as I am sure all present will gladly concur in doing, our gratitude to those who never desponded when others despaired, and who have succeeded because they resolved to succeed, and deserved to succeed.

But these difficulties were not vanquished without great sacrifices. This canal is for its extent the most costly in this country, and with the exception perhaps of the frigate navigation on the Caledonian Canal, in any country. The expense has exceeded \$150,000 a mile: yet this expenditure, almost incredible as it seems, does not exceed the limits of a rigorous economy, since it will doubtless be repaid by its own productiveness.

This will appear when we regard the *advantages* of it.

I know of no two regions of country equally extensive and populous, possessing equal abundance of products and of wealth, that are separated by so slender a barrier as this now overcome. On the western side of the canal the eye looks down over the magnificence of that inland sea, the Chesapeake, into which so many rivers are bearing the products of Maryland and Virginia. On its side is planted our fair sister city, who with her characteristic and generous spirit of enterprise, is seeking in the remote west the materials of new greatness;

while further south have been just opened the avenues to the interior of North Carolina. On the other side is that genuine Pennsylvania river, the Susquehanna, which, while it occupies and fertilizes a great part of the state, invites and will hereafter tempt into it a great portion of what the fertility of the west and the industry of the north can supply to commerce. At the east end lie all the natural and accumulated wealth of the Delaware, separated by only a single obstruction, which I trust will be soon removed from the great commercial centre of the nation; and communicating thence by the Hudson and the lakes with Canada and all the avenues to the Mississippi and the Gulf of Mexico. The imagination is wearied with the immensity of this flight over the rich and populous countries which, almost touching at this point, yet widely separated, could approach each other, until now, only by the Atlantic.—But henceforward this long and expensive and hazardous circuit of five hundred miles, will be replaced by a safe and cheap passage of fourteen miles and two or three hours. What may not be anticipated from this approximation? and how anxious will those who have been so long separated, hasten to exchange the exuberant productions of each other's industry.

Nor is it the least of the many sources of enjoyment on this occasion, that these benefits are obtained by no sacrifices of the rights or the interests of others. However personal feelings may sometimes mislead us, these improvements, in fact, injure no one. There is room enough in this great country of ours for all of us; and it would be a policy equally unjust and erroneous to repine at the advantages of our neighbors. The real wisdom even of selfishness is not to envy but to emulate the prosperity of others—to open all the avenues to industry, and then strive who shall be most industrious. Our local interests may be allowed to claim our earliest, but not our exclusive care; and even they will be best promoted by advancing the local interests of others. This work, therefore, while it benefits Philadelphia, will be useful to Baltimore and Norfolk, and ultimately to New York. In truth, every mile of the Rail-road from Baltimore westward, every section of a canal in the remotest part of the Union, is serviceable to all the Atlantic cities. They add to the movement and the mass of the nation's wealth and industry, they develop its resources, and the share of these advantages which each can obtain, is a fit subject of generous competition, not of querulous rivalry. Nor are the benefits of this canal confined to peace alone. We may not presume that this country will be again invaded, but should that event recur, we shall be spared the humiliation of having our rivers crowded with enemies, and the communications of the country intercepted, while the Chesapeake is barred by the fortresses which adorn and defend it, and this canal, safe behind the barriers which protect it, and strong in the population which will line its borders, will be equally adapted to supply the materials of commerce or the implements of war.

But this great work, important as it is to our interests, inspires a much deeper interest when it is regarded not merely as an avenue of commerce, but as a great moral agent—not as a convenience for a transmission of products, however various and abundant, but for the transportation of men—of our own living, rational, moral countrymen—as the great channel for the movement of free-men and the diffusion of free institutions.

Unquestionably, the value of any social system depends mainly on the power it furnishes for social intercourse and improvement. While men are insulated at remote distances, their views are readily misconstrued, their interests misunderstood, and difference of opinion, at first easily explicable, ripen into causes of deep hostility. It is thus that national prejudices spring up for want of knowledge, and become hereditary for want of intercourse,—that to live on opposite sides of the same mountain or the same river is to become enemies by mere position, and that the inhabitants of the same coun-

try, governed by the same laws, and having the same permanent interests, find, or think they find, cause of alienation from their distant countrymen. All these disappear when men come to approach and to understand each other. Surprise at finding that they whom we considered our natural enemies, have really no hostile feeling, is succeeded by that fusion of opinions in which the asperities of contention are worn down—that interchange of sentiments which leaves respect even where it fails to produce conviction, till they who met in estrangement part in amity. These are benefits which no positive institutions can confer, without the aids we this day enjoy. To us they are particularly valuable.

The wide extent of our country—the numerous sovereignties that divide it—the various governments which rather tend to localize the feelings; and the local interests which seem—yet only seem, to conflict with each other—all these might be causes of suspicion, of discontent, or division. But they are moulded into the elements of friendship and union, by this extraordinary facility of communication, which brings into immediate contact the remotest parts of the country, and blends them insensibly into one mass of intelligent and contented patriotism. It is thus that these steam vessels, from being merely instruments of trade, rise to the dignity of moral and political power. There is a peculiar fitness, too, that they should owe their origin to this country, for they almost belong to our political system.

The great problem of the American institutions was, whether a general government, with comparatively feeble means, could accomplish its purposes in so extensive an empire? Whether limited powers did not require a limited country, and whether the action of a political body, so distant, could carry a healthful circulation to extremities? That question is settled. It is no longer deemed necessary to impart a dangerous energy to the central power, in order to enable it to radiate to the circumference. But few things have contributed more to establish that consoling principle, than this great political institution—the steam boat, with its auxiliary canals—which measure space by a scale entirely new, and have totally subverted, the old relations of time and distance.

For all the purposes of government, the assembling of representatives, the distribution of intelligence, the execution of the laws, the general defence, this country is probably smaller in extent, even with the addition of Louisiana and Florida, than it was at the formation of the Union. St. Louis and New Orleans are as near to Washington now, as Portland and Savannah were to Philadelphia in 1776,—the communication between the States and individuals infinitely greater, and the Union is proportionally stronger, because this very intercourse furnishes at once the best motive and the best means for increasing our attachment to it.

No man, indeed, from any section of this country, can see without admiration the busy crowds, the countless masses of free people constantly in movement over these great waters, & can mark the happy condition, the intellectual alertness, the decorous manners, and the mutual courtesy which prevail among them, without feeling proud that these are his countrymen. In the glow and animation of such a scene, the sternest prejudices are subdued, the most violent sectional animosities subside, and even the least relenting of all intolerance, the fanaticism of party is often convinced, or shamed, or amused out of its bigotry. These are the realities which bind communities together—not the parchments of legislation, but the social sympathies. It was not ill said by an English statesman, in illustration of the power of habit over the forms of government, that if he could make the ballads, he did not care who made the laws. In this country he might have been tempted to add, that the legislation of the steamboats and canals was scarcely less efficient than that of the government, and that no temporary and delegated power of governing could so permanently affect the character of the nation, as the con-

stant, free, and multiplied personal violations among those who make not the law, but the law-makers.

To these happy means of intercommunication, we have this day seen a most important addition. Let us cordially welcome it—welcome it for our interests, as a fresh channel of commerce—welcome it with pride, as a new achievement of the country's power—welcome it with our feelings, as another tie of affectionate sympathy with all our fellow citizens throughout this wide and prosperous empire. Allow me to embody these views and to make way for the better things from which I have too long detained you, by pledging you in this sentiment—Success to the Chesapeake and Delaware Canal—a new source of prosperity, a new monument of power, and, above all, a new bond of union, to our country.

The following are among the toasts which were offered:—

#### TOASTS:

1. *By Mr. N. Biddle.*—Success to the Chesapeake and Delaware Canal—a fruitful source of prosperity, a noble monument of power, above all, a strong bond of union to our country.
2. *From the Chair.*—The proprietors of the Chesapeake and Delaware Canal.
3. The President of the United States.
4. The Governor of the State of Pennsylvania.
5. The Governor of the State of Maryland.
6. The Governor of the State of Delaware.
7. *By Mr. James C. Fisher, Esq. President of the Canal Company.*—The Delaware and Raritan Canal—May it soon close the last link of the great chain of Atlantic communication.
8. *By Mr. Robert M. Lewis, Chairman of the Committee of Works.*—The people of the north and of the south—By this new channel may they, like the waters of the Chesapeake and the Delaware, mingle together, and be ever united by interest and kind feelings.
9. *By Mr. Kane, Chairman of the Committee of Arrangements.*—The memory of our friend and associate, Silas E. Weir.
10. *By Mr. Platt, of the Committee of Arrangements.* The government of the U. States—Its liberality in promoting and fostering internal improvements, is the best means of securing the prosperity of the country.
11. *By Mr. De Wallenstein, of the Russian Legation.* Internal improvement—The aim of the good and the wise, of the moralist and the politician.
12. *By Mr. W. Beach Lawrence, of New York.*—Easy communication between all parts of American Union, the best means of securing the permanency of our great confederacy.
13. *By Mr. B. W. Richards, Mayor of Philadelphia.* The orator of the day—He has ably illustrated the moral and political importance of our internal improvements.
14. *By Mr. Scott, President of the Board of Canal Commissioners of Pennsylvania.* The President, Directors and Stockholders of the Chesapeake and Delaware Canal Company—Liberal contributors to the integrity of the Union.
15. *By Mr. S. N. Dexter, principal Contractor.* The Chesapeake and Delaware Canal, and the gentlemen who have conducted it to this successful termination—May the former yield an ample harvest of profit to the public-spirited stockholders, and the latter receive a rich reward in the gratitude of their fellow citizens.
16. *By Mr. Duponceau.* The three emigrants whom America desires to attach to her soil—Oil, Wine, and Silk.
17. *By Mr. Peters.* Preseverance and public spirit—One of their best illustrations is the completion of the Chesapeake and Delaware Canal.
18. *By Mr. James C. Biddle.* The memory of Samuel Milfin, Esq., the late President of the Union Canal Company—Surpassed by none in zeal, industry and intelligence in the great cause of internal improvement by Canals.

19. *By Mr. S. Duncan.* The venerable President and the Directors of the Chesapeake and Delaware Canal Company—By their firm and successful perseve-  
rance, through good report and through evil report, in a great national work, they have richly earned the honor due to great public benefactors.

20. *By Mr. H. Gilpin.* The memory of Benjamin Henry Latrobe, the first Engineer of the Chesapeake and Delaware Canal—His works are the honorable monument of his taste, genius, and science.—*Chronicle.*

#### MISCELLANEOUS.

*Election of Mayor.*—At a joint meeting of the Select and Common Councils, held on Tuesday last, WILLIAM MILNOR, Esq. was elected Mayor for this City.

The following is the vote on this occasion.

For *Mr. Milnor*—Messrs. Cuthbert, Hale, Miller, Scott, Thompson, Read, Donaldson, Graff, Gerhard, Hart, Jones, Keyser, Percival, Price, Rawle, Truth, Walmsley.—17.

For *Mr. Richards*—Messrs. Boyd, Duane, Horn, Kit-  
ters, Neff, Worrell, Baker, Horner, Johnson, Kneass,  
Massey, Lippincott, Roberts, J. P. Wetherill.—14.

For *Mr. John Swift*—S. P. Wetherill.—1.

#### Return of the Election of Commissioners of the Incorporated District of the Northern Liberties.

|                     |      |                |      |
|---------------------|------|----------------|------|
| Isaac W. Norris,*   | 2556 | Wm. Wagner,    | 752  |
| Edmund Shotwell,*   | 2410 | Jos. S. Riley, | 712  |
| Nathan L. Keyser,   | 1865 | Wm. M'Feran,   | 699  |
| Benj. E. Carpenter, | 1135 | Peter Grim     | 695  |
| John Heyl,          | 1134 | Geo. N. Baker, | 675  |
| George Ireland,     | 1115 | J. M'Guire 2 y | 1084 |
| Peter Gable,        | 1092 | E. Thomas 1 y  | 695  |
| J. Armbruster 2 y   | 1504 |                |      |
| Jacob Clymer 1 y    | 1091 |                |      |

\*On both Tickets.

The Gentlemen whose names are on the first column are elected.

The Commissioners of the incorporated district of the Northern Liberties, met on Tuesday, the 20th inst. and elected ISAAC W. NORRIS, Esq. President of the Board for the ensuing year.

#### Return of the Election of Commissioners for the District of Southwark.

|                     |      |                    |     |
|---------------------|------|--------------------|-----|
| Walter Thompson,    | 970  | Charles Finney,    | 732 |
| Joseph Huddell      | 1004 | Joseph Hunt        | 725 |
| Edward Smith        | 980  | William Rickards   | 693 |
| Peter Hertz         | 985  | John Packer        | 729 |
| Henry Ellwell       | 976  | Francis V. Bussier | 739 |
| Jeremiah W. Flicker | 974  | Seth Roberts       | 726 |

The Gentlemen whose names are on the first column are elected.

On Saturday last the Board of Commissioners met and elected the following officers:

THOMAS D. GROVER, President.

ROBERT M'MULLIN, Treasurer.

JOHN OAKFORD, Clerk.

#### Return of the Election of Commissioners for the District of Kensington.

|                    |     |                  |     |
|--------------------|-----|------------------|-----|
| John C. Browne     | 799 | William Fitler   | 394 |
| John Sexton        | 444 | John Rambo       | 390 |
| Joseph Baker       | 439 | William Vandyke  | 386 |
| Franklin Eyre      | 434 | Michael Kenan    | 376 |
| Hugh Clark         | 425 | Joseph Knox      | 387 |
| W. T. Harrison 2 y | 432 | John Fitzpatrick | 385 |
| Henry Crilly 1 y   | 422 |                  |     |

The Gentlemen whose names are on the first column are elected.

# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 18. PHILADELPHIA, OCTOBER 31, 1829. NO. 96.

## REPORT ON LAW SUITS.

*Report relative to suits in the several courts of the Commonwealth.* READ, MARCH 14, 1826.

Mr. F. Smith, from the committee on the judiciary system, to whom was referred, on the 14th Dec. a resolution relative to obtaining from the prothonotaries of the several courts in this commonwealth, a statement exhibiting the proportion which the number of contested suits brought in the several counties, during the last three years, ending with the 1st Dec., bears to the number tried, and such other information as would enable this House to judge of the efficiency of the administration of justice under the present system, made the following report, which was read, viz:

That in pursuance of this resolution, the committee addressed circulars to the different prothonotaries of the state, requesting them to make out statements of the number of original suits, including appeals from justices, brought within the three years mentioned in the resolution—the number of them to which a plea, or defence had been entered, or which have been contested,—the number of them finally decided by arbitration,—the whole number of suits put on the trial list within the said period of three years; the whole number of suits disposed of by jury trial, within that time, the whole number of suits on the trial list disposed of in any other manner within that time, the number of suits removed to the supreme court by writs of error, within the said 3 years, the number of those suits that have been determined by the supreme court,—the number that have been reversed,—the number of those reversed that have been since determined in the court below; and forward them to the committee to be laid before the House.

The committee feel much satisfaction in stating that a general and prompt compliance, on the part of these officers, to furnish the information requested, has been manifested. They have received the returns from forty-three counties, and from the prothonotaries of the district courts of the city and county of Philadelphia, and of the counties of Dauphin and Lancaster. These returns contain much useful information. A table accompanies this report, showing a general statement of the whole. It will be perceived that a great portion of the suits brought, have been finally disposed of by arbitration. Much expensive litigation has thus been saved, which would otherwise have occupied the time of the courts. This mode of settling law suits, the committee are gratified to find, has answered the purpose for which it was devised, and the most salutary effects anticipated by its warmest advocates, have been realised. The table exhibits a great disproportion between the original suits brought and those disposed of by arbitration, jury trial, or in any other manner. But it must be recollected, that very many suits are never brought to issue or are discontinued, *non-prosed*, or lay dormant or settled by the parties, without being brought before the court; and of those which are contested, many are disposed of amicably, and arrangements made in court, which must necessarily occupy much of the time of the court. It also exhibits a great disproportion of suits put on the trial lists & those disposed of by jury trial, & in any other manner; but very many of these suits must necessarily have been put on the trial list more than once, & some perhaps frequently. By the returns of some of the prothonotaries, it seems that a great amount of old costs, in suits

which are undetermined and which never will be prosecuted, remain unpaid. The state being entitled by law, to a tax on those offices, when above a given sum is received, the committee would invite the attention of the committee of ways and means to this subject.

The committee are happy to state, that there is ample testimony of the efficiency of the district court & court of common pleas, for the city and Co. of Phila. The prothonotary of the former says, "at the September term, 1825, every case upon the trial list was called, and enjoyed its opportunity of trial, almost with certainty, at the second term. Altho fewer suits are brought than before, nearly twice the number of cases are put to issue, and upon the trial list at each term. The list consists generally of new cases; and as exemplifying strongly the present efficiency of the court, it is worthy to be mentioned, that at September term, 1825, many causes instituted to that very term were at issue and on the trial list, and that one of the very latest brought of these causes, was tried, and verdict taken in it." The prothonotary of the latter says, "I have taken the liberty to add, the state of the docket for December term, 1825, because it will show to the committee that the trial list has, since March term, 1825, been so far reduced, as to promise at the next period of jury trials, that very few if any causes at issue will remain undisposed of after the first term."

The prothonotary of the southern district of the supreme court held at Chambersburg, has politely furnished the committee with a statement of the business, in that district, from 1819 to 1824, accompanied with practical observations, which they have, from the usefulness of the information it conveys, incorporated in this report, although not strictly embraced by the object of the resolution. Of the suits removed to the supreme court within the three years, embraced in the returns, many appear to be undetermined. Some of these, no doubt, have been removed in the several districts, since the last session of the court, and have therefore not enjoyed the opportunity of being heard. Your committee believe that the facility of taking writs of error is too great, and is productive of much distressing delay, prejudicial to the advancement of the ends of justice. In many instances, causes are removed to the supreme court, when substantial justice has been done in the court below, and there reversed, upon points of law by no means effecting the merits of the cause, and sometimes perhaps upon the mere informality of the record or some defects of the pleadings. This is not the fault of the judges of the court. They are bound to decide according to the existing law. The evil should be remedied by the Legislature, otherwise the court will be burthened with such a mass of business, that with all the industry and talents of the judges they will not be able to prevent a procrastination, in the suits before them, which will be detrimental to the suitors, and injurious to the interests of the community.

The committee believe they have performed what was required of them by the resolution. It will give them great satisfaction to learn that they have been able to lay before the House any information on the subject of the judiciary, which may be useful in any investigation on so important a branch of the government. It is obvious that as the population of the country increases, and commerce and business of every kind are extended



litigation will increase in the same proportion, and the Legislature will be enabled to judge whether an additional number of judges and the formation of new districts, or any other organization of the judiciary, will be necessary to a proper and adequate administration of the laws.

STATEMENT of suits in the Southern District of the Supreme Court, from 1819 to 1824.

| Terms and number of writs issued to each. | WHEN DETERMINED. |      |      |      |      |      | Reversed. | Abated and withdrawn. | Affirmed. | Non pros. | Remitted & costs paid. | Argued and held under advisement. | Not argued. | No costs paid. | Quashed. | Number on which costs ought to be paid, being decided. |     |
|---|------------------|------|------|------|------|------|-----------|-----------------------|-----------|-----------|------------------------|-----------------------------------|-------------|----------------|----------|--|-----|
|   | 1819             | 1820 | 1821 | 1822 | 1823 | 1824 |           |                       |           |           |                        |                                   |             |                |          |  |     |
| To 1819, 13 issued.                       |                  | 11   | 1    |      |      |      | 3         | 1                     | 8         | 1         | 3                      |                                   |             | 10             |          | Reversed.  | 53  |
| 1820, 23 do                               |                  | 12   | 7    |      |      |      | 5         | 3                     | 11        | 13        | 2                      | 1                                 | 10          | 1              |          | Abated & withdrawn.                                    | 17  |
| 1821, 32 do                               |                  |      | 23   | 5    | 4    |      | 7         | 3                     | 20        | 2         | 19                     |                                   | 17          |                |          | Affirmed.  | 88  |
| 1822, 51 do                               |                  |      |      | 27   | 21   |      | 17        | 4                     | 27        | 2         | 19                     |                                   | 32          |                |          | Non pros.  | 10  |
| 1823, 60 do                               |                  |      |      |      | 15   | 32   | 15        | 3                     | 17        | 4         | 22                     | 5                                 | 11          | 38             | 6        | Quashed,   | 8   |
| 1824, 62 do                               |                  |      |      |      | 16   |      | 6         | 3                     | 5         | 1         | 4                      | 14                                | 33          | 58             | 1        | Remitted,  | 176 |
| Total, 241                                | 23               | 31   | 35   | 40   | 48   | 53   | 17        | 88                    | 10        | 80        | 21                     | 45                                | 165         | 81             |          | Unpaid & not remitted,                                 | 80  |
|   |                  |      |      |      |      |      |           |                       |           |           |                        |                                   |             |                |          |  | 96  |

A general statement of the returns received from the Prothonotaries.

| COUNTIES.                         | The number of original suits, including appeals from justices, brought within the 3 yrs. mentioned in the resolution | The number of them to which plea or defence has been entered, or which have been continued. | The number of them that have been determined by arbitration. | The whole number of suits put on the trial list within said period of three years. | The whole number of suits disposed of by jury trials, within that time. | The whole number of suits on the trial, disposed of in any other manner within that time. | The number of suits removed to the supreme court by writs of error within the said 3 years. | The number of those suits determined by the supreme court. | The number that have been reversed. | The number of those moved, that have been since determined, in et. below. |
|-----------------------------------|--|---|--|--|---|---|---|--|-------------------------------------|---|
| Dist. ct. of City & Co. of Phila. | 6378   | 2620  | 453  | 1212   | 284   | 538   | 58  | 25   | 10                                  | 3   |
| Do. for city & Co. of Lanct.      | 710  | 284   | 134  | 454  | 46  | 21  | 35  | 14   | 4                                   | 1   |
| Ct. of common pls. of Lan. Co.    | 1381   | 487   | 289  | 900  | 86  | 40  | 50  | 21   | 4                                   | —   |
| Allegheny County.                 | 1946   | 1347  | 258  | 892  | 127   | 266   | 63  | 27   | 21                                  | 4   |
| Luzerne,                          | 890  |   | 72   |  | 156   | 515   | 2   | 2  | 1                                   | 1   |
| Crawford,                         | 559  | 58  | 46   | 116  | 21  | 68  | 14  | 7  | 5                                   | —   |
| Lycoming,                         | 940  | 475   | 114  | 181  | 50  | 70  | 14  | 3  | 3                                   | 1   |
| Columbia,                         | 729  | 281   | 66   | 121  | 37  | 52  | 15  | 8  | 5                                   | 2   |
| Perry,                            | 468  | 264   | 69   | 328  | 48  | 143   | 7   | 3  | 1                                   | —   |
| Lebanon,                          | 631  | 228   | 50   | 349  | 64  | 27  | 21  | 12   | 8                                   | —   |
| Bradford,                         | 271  | 114   | 35   | 139  | 33  | 84  | 5   | 2  | —                                   | —   |
| Northumberland,                   | 1106   | 582   | 63   | 454  | 73  | 37  | 41  | 12   | 10                                  | 1   |
| Schuylkill,                       | 701  | 263   | 40   | 176  | 68  | 108   | 4   | 1  | 1                                   | —   |
| York,                             | 2114   | 519   | 234  | 429  | 101   | 41  | 16  | 9  | 1                                   | —   |
| Somerset,                         | 990  | 444   | 67   | 341  | 53  | 54  | 17  | 8  | 5                                   | 3   |
| Pike,                             | 200  | 141   | 45   | 93   | 33  | 57  | —   | —  | —                                   | —   |
| Grech,                            | 358  | 147   | 49   | 151  | 33  | 56  | 1   | —  | —                                   | —   |
| Adams,                            | 894  | 400   | 68   | 195  | 71  | 74  | 18  | 9  | 4                                   | 2   |
| Mercer,                           | 302  | 235   | 60   | 119  | 31  | 30  | 19  | 10   | 7                                   | 2   |
| Clearfield,                       | 76   | 29  | 1  | 20   | 10  | 3   | —   | —  | —                                   | —   |
| Chester,                          | 1347   | 793   | 95   | 182  | 81  | 51  | 13  | 7  | 4                                   | 3   |
| Cambria,                          | 117  | 40  | 15   | 55   | 19  | 15  | 3   | 1  | —                                   | —   |
| Butler,                           | 278  | 112   | 7  | 275  | 78  | 197   | 6   | —  | —                                   | —   |
| Westmoreland,                     | 1080   | 857   | 110  | 458  | 53  | 70  | 11  | 4  | 1                                   | —   |
| Erie,                             | 352  | 102   | 50   | 50   | 16  | 11  | 1   | 1  | 1                                   | —   |
| Beaver,                           | 270  | 88  | 29   | 241  | 62  | 53  | 2   | 2  | 1                                   | 1   |
| Cumberland,                       | 1158   | 297   | 97   | 808  | 62  | 28  | 27  | 8  | 6                                   | 2   |
| Warren,                           | 140  | 59  | 20   | 95   | 23  | 24  | 4   | 3  | 3                                   | —   |
| Bucks,                            | 897  | 456   | 70   | 74   | 21  | 29  | 2   | 2  | 2                                   | 1   |
| Wayne,                            | 269  | 58  | 8  | 72   | 7   | 57  | —   | —  | —                                   | —   |
| Venango,                          | 224  | 80  | 15   | 192  | 17  | 33  | 3   | —  | —                                   | —   |
| Susquehanna,                      | 343  | 96  | 8  | 96   | 20  | 63  | 10  | 6  | 3                                   | —   |
| Lehigh,                           | 643  | 281   | 77   | 443  | 45  | 121   | 3   | 2  | 1                                   | 1   |
| Delaware,                         | 328  | 63  | 59   | 110  | 20  | 14  | 4   | 1  | 1                                   | —   |
| Tioga,                            | 181  | 82  | 23   | 34   | 13  | 17  | 4   | 1  | —                                   | —   |
| Washington,                       | 587  | 186   | 108  | 521  | 77  | 130   | 6   | 5  | 3                                   | 1   |
| Fayette,                          | 1106   | 902   | 113  | 749  | 82  | 397   | 7   | 3  | —                                   | —   |
| Montgomery,                       | 1248   | 647   | 151  | 254  | 34  | 89  | 7   | 6  | —                                   | —   |
| Centre,                           | 311  | 95  | 16   | 124  | 45  | 86  | 7   | 3  | 1                                   | —   |
| Bedford,                          | 609  | 388   | 61   | 508  | 70  | 73  | 7   | 4  | 2                                   | —   |
| Indiana,                          | 380  | 162   | 24   | 342  | 54  | 93  | 10  | 5  | 3                                   | 2   |
| Armstrong,                        | 393  | 122   | 24   | 316  | 32  | 95  | 2   | —  | —                                   | —   |
| Ct. of common pls. Phila. Co.     | 2390   | 426   | 145  | 1720   | 175   | 189   | 40  | 14   | 6                                   | 3   |
| Dauphin co. ct. of common pls.    | 1184*  | 506   | 79   | 600  | 38  | 27  | 10  | 9  | —                                   | —   |
| Do. do. District court,           | 490†   | 380   | 25   | 700  | 76  | 15  | 1   | 2  | —                                   | —   |

\* 302 of this number have been settled.

† 147 of this number have been settled.

## FRANKLIN COUNTY.

|  |      |
|--|------|
| The number of original suits, including appeals,                                       | 2165 |
| Pleas and defences entered,  | 361  |
| Whole number determined by arbitration;  | 209  |
| Determined by arbitration, & brot. within 3 years,                                     | 136  |
| Whole number on trial list,  | 799  |
| Jury trials,   | 125  |
| Judgments at the bar by non-suit, &c.  | 58   |
| Judgment by consent, &c.   | 1204 |
| Number of writs of error in three years,   | 35   |
| Affirmed,  | 15   |
| Reversed,  | 12   |
| Since determined in court below,   | 4    |
| Number of suits in which no statement or declaration is filed, brought in three years, | 534  |

*Note.*—No returns have been received from Berks, Union; Huntingdon, Mifflin and Northampton counties.

## PROSPECTUS OF ALLEGHENY COLLEGE.

MEADVILLE, Sept. 25, 1829.

The Trustees of Allegheny College have the happiness of announcing to the public, that this Institution will be open for the reception of students on the fourth Monday of October next.

The Faculty of the College is composed of the Rev. Timothy Alden, President; Rev. David McKinley, Professor of Mathematics; and Reynell Coates, M. D., Professor of Natural Philosophy and Chemistry. Instruction in the Languages, and in Logic and Moral Philosophy will be given by the President; and in Rhetoric and Belles Lettres by the Professor in the Mathematical Department.

The Trustees pledge themselves to the public, and to parents and guardians of youth, that a complete course of instruction shall be given to pupils in the various branches of a literary and scientific education. Conscientiously to redeem this pledge, the Trustees, in addition to a thorough examination of the students at the close of each session, will attend by committee to monthly and quarterly examinations. Each class shall also be divided into three grades, and a circular transmitted to parents and guardians semi-annually, stating the progress and standing of their children and wards. By these means, and by every other which may promise success, the Trustees will aid the Faculty in stimulating the youthful mind to action, and in speeding the students' progress in the path of youthful knowledge.

Special attention shall also be paid to the inculcation of those moral principles, to the cultivation of those amiable and benevolent dispositions, and to the formation of those habits of mental action and persevering industry, which are connected with the highest happiness of the individual, essential to the well-being of society, and indispensable to success in any honourable calling in life. The Trustees believe that correct religious principles and habits of devotion in literary men, are intimately connected with the best interests of mankind, and that every system of education, where the knowledge and practice of revealed religion are left out of view, is essentially defective. They will therefore provide for what they conceive to be correct elementary instruction on this subject, and will require all students to observe the Lord's day in a christian manner, according to the laws of our country, and to attend some place of public worship on that sacred day. At the same time, however, they disclaim all sectarianism. They will not authorize the inculcation of any thing different from the great principles of revealed truth, which christians generally maintain with unanimity. They will permit every student to select with the advice of his friends, that place of religious worship where he shall attend. And if there should be any student who cannot conscientiously be present at any one of the places of worship which may be accessible, or

who cannot conscientiously attend the religious exercises in College, such student, at the request of his parent or guardian shall be excused.

It frequently happens that young men who have acquired considerable literary and scientific information, retain it but a short time, and derive comparatively little advantage from their acquisitions, merely because they have not learned how to apply their knowledge to the arts, and to the various operations of the active and industrious classes of mankind. Knowing this to be the case, the Faculty will endeavor in all their instructions, not only to communicate knowledge, but also to show the relation which every science bears to the operations of the artist; not only to teach abstract truth, but also to habituate the mind to the investigation and acquirement of truth; to teach it how to think, to invent, and to apply all its acquisitions to some useful purpose. In short, it is the design of the Trustees and Faculty, a design which they will ever keep in view and prosecute with unremitting exertions, to train up youth for the active duties of life, and prepare them for becoming honorable, profitable, and happy members of society.

The College buildings are extensive, tasteful, and in a superior style of workmanship. The main building is four stories high, and the wings three stories including the basement. The whole presents a front of 120 feet. Their situation on an eminence half a mile north of the village, and commanding a prospect of the village and surrounding country, is peculiarly beautiful.

The library has been universally admired by literary gentlemen who have visited it. It consists of about eight thousand volumes well selected, and with a few additions, will embrace every thing which will be ordinarily required for reference. It is already decidedly the best Collegiate Library west of the Allegheny mountains, and may be ranked among the first in the Union.

It is intended that particular attention shall be paid to those general views of nature, which form part of a liberal education, and are happily calculated to elevate the mind. Physiology both vegetable and animal, will form part of the course of study. It is not intended that the time of the students shall be occupied in prosecuting the minute distinctions of Genera and Species, but the grand natural families of animals throughout the zoological chain, will be treated under this head. A cabinet of Geology and Natural History has been commenced, and such connexions have been formed with naturalists in various places, as will tend constantly to its enlargement.

The village of Meadville is handsomely situated in the valley of French Creek, and combines many things which render it a proper location for an institution of literature. It is surrounded by an extensive agricultural country, which is rapidly improving. It has abundant facilities of access. Stages from the North and South arrive and depart daily; and from the East, three times a week; and it is traversed by the North Western division of the Pennsylvania canal. The village is also peculiarly healthful, and affords a limited, but excellent society for the occasional intercourse of students. The number of inhabitants is about 1300.

The collegiate year will embrace two sessions or terms of twenty-two weeks each, having eight weeks of vacations, three of which will be appropriated to a recess in the spring and five to a recess in the autumn. The annual Commencement will take place on the 3d Thursday of September, and the next term will begin five weeks from the following Monday.

The usual division of students into four classes, Freshman, Sophomore, Junior, and Senior, will be adopted, and the course of instruction will embrace four years.

The expense for tuition for the first two years will be sixteen dollars per term, and for the two last twenty dollars per term, to be paid in advance, or secured by bond. Applicants for admission who can pass a satisfactory examination, may be received into an advanced class—into the Sophomore by paying one third the tuition of the previous year; into the Junior by pay-

ing two thirds the tuition of the previous year; and into the Senior by paying the full tuition of the previous year, in addition to the regular fees of the class into which they enter. Any student, however, who comes with recommendations from another College, may be admitted into the class for which, upon examination, he may be found qualified, without the additional pecuniary consideration just mentioned; and this consideration may also be remitted to those who have privately prepared to enter an advanced class, but whose circumstances, in the opinion of the Faculty, are necessitous.

Students for a partial course, may be received into any class they may choose to enter, and may pursue the studies of the class, in whole or in part, by paying the regular fees for tuition.

There will also be a tax on all students of two dollars per term for the use of the Library, and three dollars per term for room rent to those who lodge in the College buildings. The expense of warming and cleansing the recitation rooms will be equally divided among the students. Fuel will be furnished at \$1.25 per cord; boarding in the College at \$1.50 per week; lodging at 25 cts. per week; and washing at 25 cts. Boarding and lodging may be obtained in the neighbourhood at \$1.00 to \$1.25 per week, and in the village at \$1.25 to \$2.00. The whole yearly expense of a student, exclusive of vacations, and of books and clothing may vary from 100 to 150 dollars, according to his choice of residence and mode of living.

The requisites for admission, are—a good moral character; an ability to read, translate and parse Sælut, Virgil, Odes of Horace, Cicero's select Orations, Greek Testament, and Jacob's Greek Reader, or Græca Minora, and to write correct Latin—also a knowledge of Arithmetick, English Grammar, and the Elements of Geography.

The Meadville Academy, which is in a flourishing condition, will always afford a good opportunity for students to prepare for College.

The course of study and instruction proposed by the Faculty and sanctioned by the Trustees, is exhibited in the following scheme; subject, however, to such alterations as experience and the advancement of science may suggest.

#### FRESHMAN YEAR.

##### *With the President.*

Review Latin and Greek Grammar.

Latin—Cicero de officiis, Horace, Latin Prosody.

Greek—Xenophon's Anabasis, Homer's Iliad, Greek

Hebrew—Professor Stewart's works. [Exercises.

##### *With the Professor of Mathematicks.*

Algebra (Bonycastle).

Geometry plain and solid (Playfair's Euclid.)

Geography (Woodbridge's Large.)

##### *With the Professor of Natural Philosophy & Chemistry.*

Natural Philosophy (a popular course.)

#### SOPHOMORE YEAR,

##### *With the President.*

Latin—Cicero de Oratore, Horace.

Greek—Xenophon, Homer.

Hebrew—

Hedge's Logic.

##### *With the Professor of Mathematics.*

Algebra (Higher).

Application of Algebra to Geometry.

Logarithms. Plane Trigonometry.

Surveying (Gummere). Ancient Geography.

History—Ancient and Modern.

##### *With the Professor of Natural Philosophy & Chemistry.*

Chemistry of imponderables—Electricity, Galvanism, Magnetism.

Natural Philosophy—Mechanics, Hydrostatics and Hydraulics, Pneumatics, Optics, Perspective, Acoustics.

#### JUNIOR YEAR.

##### *With the President.*

Latin—Livy, Juvenal.

Greek—Col. Gr. Majora, Longinus on the sublime.

Hebrew—

Locke's Essay.

Paley's Moral Philosophy.

##### *With the Professor of Mathematicks.*

Spherical Geometry and Trigonometry.

Conic sections. Fluxions.

Mensuration. Navigation.

Prospective Geography, Use of Globes, Construction of Maps, Charts, &c.

Rhetorick (Blair's Lectures).

##### *With the Professor of Natural Philosophy & Chemistry.*

Chemistry of Inorganic Matter.

Astronomy.

#### SENIOR YEAR.

##### *With the President.*

Grotius de Veritate. Greek Testament.

Stewart on the mind. Reed on do.

##### *With the Professor of Mathematicks.*

Review Mathematicks.

Rhetorick (Campbell's Philosophy and Kiames Elements of Criticism.)

##### *With the Professor of Natural Philosophy & Chemistry.*

Vegetable Chemistry.

Physiology vegetable and animal.

Zoology—

Composition, Declamation, and Forensic Debate, throughout the course:

Lectures will be given on all subjects, where they can be made profitable.

The discipline of the College will unite strictness with mildness, and approximate as nearly as practicable to the parental. The President and Professor of Mathematicks, will occupy the wings of the College, and will exercise a constant superintendence of the habits and studies of the youth.

The location and excellence of the College buildings, the character of the Library, and Chemical and Philosophical apparatus, the arrangement for the cabinet of Natural Philosophy, the health and society of the village, the cheapness of living, and the course of study and instruction, together with the constant care and unremitting exertion of the Faculty, offer inducements which cannot but authorize the hope that many parents will select this as the place of education for their children, and produce a confidence in the Trustees, that any reasonable expectations in parents, as to the progress of their children in useful knowledge, will not terminate in disappointment.

Signed by order of the Board,

HENRY SHIPPEN, President.

T. ALDER, Sec'y. Board.

#### PITTSBURG IN 1786.

Written by Mr. Brackenridge, afterwards one of the Judges of the Supreme Court of Pennsylvania, and published in the Pittsburg Gazette, on the 26th July, 1786. This article was written to encourage migration to this place, which was then as little known to the inhabitants of the sea-board, as Franklin in Missouri, or Galena in Illinois, are now. We trust, that this description, will not be uninteresting to our readers; it contains much matter, which will doubtless be new to many of the residents of our thriving city.

Forty-three years have elapsed, since this was a graphic and accurate description of our town; how different is it now! what a change has time produced.

Pittsburg Gaz.

##### *From Brackenridge's 'Gazette Publications.'*

It was in the spring of the year 1781, that leaving the city of Philadelphia I crossed the Allegheny mountain, and took my new residence in the town of Pittsburg:

"If town it might be call'd, that town was none,  
"Distinguishable by house or street——."

But in fact a few old buildings, under the walls of a gar-rison, which stood at the junction of two rivers. Nevertheless it appeared to me as what would one day be a town of note, and in the mean time might be pushed forward by the usual means that raise such places. Two or three years had elapsed, and some progress had been made in improvement, when a Gazette was established at this place for the western country, and one of my earliest contributions was the following, intended to give some reputation to the town, with a view to induce emigration to this particular spot; whether it contributed in any degree to this object, I do not know, nor is it material. It will serve to give some idea of what the town was at an early period, and the state of society at that time, July 26, 1786.

ON THE SITUATION OF THE TOWN OF PITTSBURG, AND THE STATE OF SOCIETY AT THAT PLACE.

The Allegheny River running from the north-east, and the Monongahela from the south-west, meet at the angle of about 33 degrees, and form the Ohio. This is said to signify, in some of the Indian languages, bloody; so that the Ohio River may be translated the River of Blood. The French have called it La Belle Riviere, that is, the Beautiful or Fair River, but this is not intended by them as having any relation to the name Ohio.

It may have received the name of Ohio about the beginning of the present century, when the Six Nations made war upon their fellow savages in these territories and subjected several tribes.

The word Monongahela is said to signify, in some of the Indian languages the *Falling-in-Banks*, that is, the stream of the Falling-in, or Mouldering Banks.

At the distance of about four or five hundred yards from the head of the Ohio is a small island, lying to the north-west side of the river, at the distance of about 70 yards from the shore. It is covered with wood, and at the lowest part, is a lofty hill famous for the number of wild turkeys which inhabit it. The island is not more in length than one quarter of a mile, and in breadth about 100 yards. A small space on the upper end is cleared and overgrown with grass. The savages had cleared it during the late war, a party of them attached to the United States having placed their wigwams and raised corn there. The Ohio, at the distance of about one mile from its source, winds round the lower end of the island and disappears. I call the confluence of the Allegheny and Monongahela the source of the Ohio.

It is pleasant to observe the conflict of these two waters where they meet: when of an equal height the contest is equal, and a small rippling appears from the point of land at their junction to the distance of about five hundred yards. When the Allegheny is master, as the term is, the current keeps its course a great way into the Monongahela, before it is overcome, and falls into the bed of the Ohio. The Monongahela in like manner having the mastery, bears away the Allegheny and with its muddy waters discolours the chrysal current of that river. This happens frequently, inasmuch as these two rivers, coming from different climates of the country, are seldom swoln at the same time. The flood of the Allegheny rises perhaps the highest. I have observed it to have been at least 30 feet above the level, by the impression of the ice on the branches of trees which overhang the river, and had been cut at the breaking up of the winter, when the snow and frost melting towards the north-east throw themselves down with amazing rapidity and violence in a mighty deluge. The current of the Allegheny is in general more rapid than that of the Monongahela, and though not broader or of greater depth, yet, from this circumstance throws forward a greater quantity of water in the same space of time. In this river, at the distance of about one mile above the town of Pittsburg is a beautiful little island, which, if there are river gods and nymphs, they may be supposed to haunt. At the upper end of the island and towards the western shore is a small ripple, as it is called, where the water, bubbling as if it sprung from the peb-

bles of a fountain, gives vivacity and an air of cheerfulness to the scene.

The fish of the Allegheny are harder and firmer than those of the Monongahela or Ohio, owing, as is supposed, to the greater coldness and purity of the water.—The fish in general of those rivers are good. They ate, the pike, weighing frequently 15 or 20 pounds, the perch much larger than any I have ever seen in the bay of Chesapeake, which is the only tide from whence I have ever seen perch; there is also the sturgeon and many more kinds of fish.

It is a high amusement to those who are fond of fishing, to angle in those waters, more especially at the time of a gentle flood, when the frequent nibbles of the large and small fishes entertain the expectation, and sometimes gratify it by a bite; and when those of the larger size are taken, it is necessary to play them a considerable time before it can be judged safe to draw them in. I have seen a canoe half loaded in a morning by some of those most expert in the employment; but you will see in a spring evening the banks of the rivers lined with men fishing at intervals from one another. This, with the streams gently gliding, the woods, at a distance, green, and the shadows lengthening towards the town, forms a delightful scene. Fond of the water, I have been sometimes highly pleased in going with a select party, in a small barge, up or down the rivers, and landing at a cool spring, to enjoy the verdant turf, amidst the shady bowers of ash-wood, sugar-tree or oak, planted by the hand of nature, not of art.

It may be said by some who will read this description which I have given, or may be about to give, that it is minute and useless, inasmuch as they are observations of things well known. But let it be considered that it is not intended for the people of this country, but for those at a distance, who may not yet be acquainted with the natural situation of the town of Pittsburg; or having heard of it, may wish to be more particularly informed. Who knows what families of fortune it may induce to emigrate to this place?

There is a rock known by the name of M'Kee's rock, at the distance of about three miles below the head of the Ohio. It is an end of a promontory, where the river bends to the N. W. and where, by the rushing of the floods, the earth has been cut away during several ages; so that now the huge overhanging rocks appear, hollowed beneath, so as to form a dome of majesty and grandeur, near one hundred feet in height. Here are the names of French and British officers engraved, who in the former times, in parties of pleasure, had visited this place. The town of Pittsburg, at the head of the Ohio, is scarcely visible from hence, by means of an intervening Island, the lower end of which is nearly opposite the rocks. Just below them at the bending of the river is a deep eddy water, which has been sounded by a line of thirty fathoms, and no bottom found. Above them is a beautiful extent of bottom, containing five or six hundred acres, and the ground rising to the inland country with an easy ascent, so as to form an extensive landscape. As you ascend the river from these rocks to the town of Pittsburg, you pass by on your right hand the mouth of a brook known by the name of the Saw-mill run. This empties itself about half a mile below the town, and is overlooked by a building on its banks, on the point of a hill which fronts the east, and is first struck by the beam of the rising sun. At a small distance from its mouth is a saw-mill, about 20 perches below the situation of an old mill built by the British, the remains of some parts of which are yet seen.

At the head of the Ohio stands the town of Pittsburg, on an angular piece of ground, the two rivers forming the two sides of the angle. Just at the point, stood, when I first came to this country, a tree, leaning against which I have often overlooked the wave, or committing my garments to its shade have bathed in the transparent tide. How have I regretted its undeserved fate when the early winter's flood, tore it from the roots and left the bank bare.

On this point stood the old French fort known by the name of Fort Du Quesne, which was evacuated and blown up by the French in the campaign of the British under Gen. Forbes. The appearance of the ditch and mound, with the salient angles and bastions still remains, so as to prevent that perfect level of the ground which otherwise would exist. It has been long overgrown with the finest verdure, and depastured on by cattle; but since the town has been laid out it has been enclosed, and buildings are erected.

Just above these works is the present garrison, built by Gen. Stanwix, and is said to have cost the crown of Britain £60,000. Be that as it may, it has been a work of great labor and of little use—for, situated on a plain, it is commanded by heights and rising grounds on every side, and some at less than the distance of a mile.—The fortification is regular, constructed according to the rules of art, and about three years ago, put into good repair by Gen. Irwin who commanded at this post. It has the advantage of an excellent magazine, built of stone; but the time is come, and it is hoped will not again return, when the use of this garrison is at an end. There is a line of posts below it on the Ohio river, to the distance of three hundred miles. The savages come to this place, for trade, not for war; and any future contest that we may have with them, will be on the heads of the more northern rivers that fall into the Mississippi.

The bank of the Allegheny river, on the north-west side of the town of Pittsburg, is planted with an orchard of apple trees, with some pear trees intermixed. These were brought, it is said, and planted by a British officer who commanded at this place early on the first occupation of it by the crown of England. He has deserved the thanks of those who have since enjoyed it, as the fruit is excellent, and the trees bear in abundance every year. Near the garrison on the Allegheny bank, were formerly what were called the king's and artillery gardens, delightful spots, cultivated highly to usefulness and pleasure, the soil favoring the growth of plants and flowers, equal with any on the globe. Over this ground the ancient herbs and plants springing up underneath the foot, it is delightful still to walk, covered with the orchard shade.

On the margin of this river once stood a row of houses, elegant and neat, and not unworthy of the European taste; but have been swept away in the course of time, some for the purpose of forming an opening to the river from the garrison, that the artillery might incommode the enemy approaching and deprived of shelter; some torn away by the fury of the rising river, indignant of too near a pressure on its banks. These buildings were the receptacles of the ancient Indian trade, which, coming from the westward, centred in this quarter: but of these buildings, like decayed monuments of grandeur, no trace remains. Those who, 20 years ago, saw them flourish, can only say, here they stood.

From the verdant walk on the margin of this beautiful river, you have a view of an island about a mile above, round which the river twines with a resplendent brightness; gliding on the eastern bank, it would wish to keep a straight direction, once supposed to be its course: but thrown beneath, it modestly submits and falls towards the town. When the poet comes with his enchanting song to pour his magic numbers on this scene, this little island may aspire to live with those in the Ægean sea, where the song of Homer drew the image of delight, or where the Cam or Isis embracing in their bosoms gems like these, are sung by Milton, father of the modern bards.

On the west side of the Allegheny river, and opposite the orchard, is a level of three thousand acres, reserved by the state to be laid out in lots for the purpose of a town. A small stream at right angles to the river passes through it. On this ground it is supposed a town may stand; but on all hands it is excluded from the praise of being a situation so convenient as on the side of the

river, where the present town is placed; yet it is a most delightful grove of oak, cherry and walnut trees: but we return and take a view of the Monongahela on the southern side of the town.

This bank is closely set with buildings for the distance of near half a mile, and behind this range the town chiefly lies, falling back on the plains between the two rivers. To the eastward is Grant's hill, a beautiful rising ground, discovering marks of ancient cultivation; the forest having long ago withdrawn, and shown the head and brow beset with green and flowers. From this hill two chrysal fountains issue, which in the heat of summer continue with a limpid current to refresh the taste. It is pleasant to celebrate a festival on the summit of this ground. In the year 1781 a bower had been erected, covered with green shrubs. The sons and daughters of the day assembling, joined in the festivity; viewing the rivers at a distance, and listening to the music of the military on the plain beneath them. When the moonlight rising from the east, had softened into grey, the prospect, a lofty pile of wood enflamed, with pyramidal rising, illuminated both the rivers and the town, which far around reflected brightness. Approaching in the appearance of a river god, a swain begirt with weeds natural to these streams, and crowned with leaves of the sugar tree, hailed us, and gave prophetic hints of the grandeur of our future empire. His words I remember not, but it seemed to me for a moment, that the mystic agency of deities well known in Greece and Rome, was not a fable; but that powers unseen haunt the woods and rivers, who take part in the affairs of mortals, and are pleased with the celebration of events that spring from great achievements and from virtue.

This is the hill, and from whence it takes its name, where in the war which terminated in the year 1763.—Grant advancing with about 800 Caledonians or Highland Scotch troops, beat a reveille a little after sunrise to the French garrison, who, accompanied with a number of savages, sallied out and flanking him unseen from the bottom on the left and right then covered with wood, ascended the hill, tomahawked and cut his troops to pieces, and made Grant himself prisoner. Bones and weapons are yet found on the hill, the bones white with the weather; the weapons covered with rust.

On the summit of this hill is a mound of earth, supposed to be a catacomb or ancient burying place of the savages. There can be no doubt of this, as on the opening some of the like tumuli or hills of earth, bones are found. In places where stones are plenty, these mounds are raised of stones, and skeletons are found in them.—To the north-east of Grant's hill, there is one still higher at the distance of about a quarter of a mile, which is called the Quarry hill, from the excellent stone quarry that has been opened in it. From this hill there is an easy descent the whole way to the town, and an excellent smooth road, so that the stones can be easily procured to erect any building at Pittsburg. From the Quarry-hill you have a view of four or five miles of the Allegheny river, along which lies a fine bottom, and in high cultivation, with different inclosures and farm-houses; the river winding through the whole prospect.

This hill would seem to stand as that whereon a strong redoubt might be placed, to command the commerce of the Allegheny river, while directly opposite on the Monongahela side, to the south-east stands a hill of the same height and appearance, known by the name of Ayre's hill, so called from a British engineer of that name, who gave his opinion in favour of this ground as that whereon the fort ought to be constructed, as being the highest ground, and which must command the rivers, and the plain with the inferior rising grounds on which the town is built. This hill has been cultivated on the summit by a Highland regiment, who built upon it, though the buildings are now gone, and the brow of the hill is still covered with wood.

From Ayre's hill issue several fountains, falling chiefly towards the north, into a small brook, which increasing;

encircles the foot of the hill, and takes its course thro' several beautiful little meads into the Monongahela river. On this brook, before it takes its turn to the Monongahela, in a delightful little valley, and in the neighborhood of some plum trees, the natives of the country, was the ancient residence of a certain Anthony Thompson, the vestiges of whose habitation still remain; an extent of ground cleared by him lies to the north, accustomed to long cultivation, and now thrown out a common. The best brick may be made from this ground, the fine loam and sand of which the soil consists, and the water just at hand, highly favoring this object.

As you ascend from this valley, through which a main leading road passes from the country, you see the Monongahela, and approaching Grant's hill on the right, you have the point of view from whence the town is seen to the best advantage. It is hid from you until by the winding of the road you begin to turn the point of the hill; you then see house by house on the Monongahela side opening to your view, until you are in front of the main town, in a direct line to the confluence of the rivers. Then the buildings on the Allegheny show themselves with the plain extending to the right, which had been concealed. You have in the mean time a view of the rising grounds beyond the rivers, crowned with lofty woods. I was once greatly struck in a summer morning, viewing from this ground the early vapor rising from the river. It hung midway between the foot and summit of the hill, so that the green above, had the appearance of an island in the clouds.

It may be here observed, that at the junction of these two rivers until eight o'clock of summer mornings, a light fog is usually incumbent: but it is of a salutary nature, inasmuch as it consists of vapor not exhaled from stagnant water, but which the sun of the preceding day had extracted from trees and flowers, and in the evening had sent back in dew, so that rising with a second sun in fog, and becoming of aromatic quality, it is experienced to be healthful.

The town of Pittsburg, as at present built, stands chiefly on what is called the third bank; that is the third rising of the ground above the Allegheny water. For there is the first bank, which confines the river at the present time; and about three hundred feet removed is a second, like the falling of a garden; then a third, at the distance of about three hundred yards; and lastly, a fourth bank, all of easy inclination, and parallel with the Allegheny river. These banks would seem in successive periods to have been the margin of the river which gradually has changed its course, and has been thrown from one descent to another, to the present bed where it lies. In digging wells the kind of stones are found which we observe in the Allegheny current, worn smooth by the attrition of the water. Shells also intermixed with these are thrown out. Nature therefore, or the river, seems to have formed the bed of this town as a garden with level walks, and fallings of the ground. Hence the advantage of descending gardens on these banks, which art elsewhere endeavors, with the greatest industry to form. Nor is the soil less happy than the situation. The mould is light and rich. The finest gardens in the known world may be formed here.

The town consists at present of about an hundred dwelling houses, with buildings appurtenant. More are daily added, and for some time past it has improved with an equal but continual pace. The inhabitants, children, men and women, are about fifteen hundred; this number doubling almost every year from the accession of people from abroad, and from those born in the town. As I pass along, I may remark that this new country is in general highly prolific; whether it is that the vegetable air, if I may so express it, constantly perfumed with aromatic flavor, and impregnated with salts drawn from the fresh soil, is more favorable to the production of men and other animals than decayed grounds.

There is not a more delightful spot under heaven to spend any of the summer months than at this place. I am astonished that there should be such repairing to the

Warm Springs in Virginia, a place pent up between the hills where the sun pours its beams concentrated as in a burning glass, and not a breath of air stirs; where the eye can wander scarcely half a furlong, while here we have the breezes of the river, coming from the Mississippi and the ocean; the gales that fan the woods, and are sent from the refreshing lakes to the northward; in the meantime the prospect of extensive hills and dales, whence the fragrant air brings odours of a thousand flowers and plants, or of the corn and grain of husbandmen, upon its balmy wings. Here we have the town and country together. How pleasant is it in a summer evening, to walk out upon these grounds; the smooth green surface of the earth, and the woodland shade softening the late fervid beams of the sun; how pleasant by a chrysal fountain is a tea party under one of those hills, with the rivers and the plains beneath.

Nor is the winter season enjoyed with less festivity than in more populous and cultivated towns. The buildings warm; fuel abundant, consisting of the finest coal from the neighbouring hills, or of ash, hickory or oak, brought down in rafts by the rivers. In the mean time the climate is less severe at this place than on the other side of the mountain, lying deep in the bosom of the wood; sheltered on the north east, by the bending of the Allegheny heights, and on the south west, warmed by the tepid winds from the bay of Mexico, and the great southern ocean.

In the fall of the year and during the winter season, there is usually a great concourse of strangers at this place, from the different states, about to descend the river to the westward, or to make excursions into the uninhabited and adjoining country. These, with the inhabitants of the town spend the evening in parties at the different houses, or at public balls, where they are surprised to find an elegant assembly of ladies, not to be surpassed in beauty and accomplishments perhaps by any on the continent.

It must appear like enchantments to a stranger, who after travelling an hundred miles from the settlements, across a dreary mountain, and through the adjoining country, where in many places the spurs of the mountain still continue, and cultivation does not always show itself, to see, all at once, and almost on the verge of the inhabited globe, a town with smoking chimneys, halls lighted up with splendor, ladies and gentlemen assembled, various music, and the mazes of the dance. He may suppose it to be the effect of magic, or that he is come into a new world where there is all the refinement of the former, and more benevolence of heart.

For the present situation of PITTSBURG, contrasted with the preceding, see our present volume page 223.

ED. REG.

#### BIOGRAPHICAL MEMOIR OF

#### MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 233.)

In the commencement of this memoir, it is said that Isaac Wayne, the father of the American General, was a "man of great industry and enterprise" which was the fact. To agriculture, on a very extensive scale, he added a tan factory, perhaps, in its day, the largest in the state of Pennsylvania; this, together with the farm on which it was erected, descended, in 1774, to his son, the subject of this memoir; however, neither the father nor son were professional tanners.

From the following memorandum in one of the General's ledgers, it would appear that if he had actually been a tanner, and no mechanical profession is more honourable, and had he personally pursued his business during the revolutionary war, he would not, in all probability, have sustained the pecuniary loss which it records.

"Mr. Shannon has sunk for me since the beginning of January, 1776, until he went away, upwards of two thousand four hundred pounds in stock, exclusive of the interest for near eight years. Nor do I believe that he



made much for himself, although he has certainly injured me to the full amount of three thousand six hundred pounds, counting only the principal and interest; had he managed my stock in trade to that advantage which others have done in the course of the late war, I ought to have, at a moderate computation, *seven thousand pounds in stock, in place of nothing.*"

March, 1784.

ANTHONY WAYNE.

While the British army was reposing in ease at New York, the officers occasionally amused themselves with writing comedies, interludes, and farces—and themselves were the personæ dramatis. "Among others, they got up an *interlude*, in which Washington was represented as a surveyor, Greene as a gun-smith, Wayne as a tanner, and other American officers in different mechanical professions—all of whom were exhibited on the stage, in dresses, and with instruments suited to their respective occupations; for instance,—Washington carrying a surveyor's jacob staff of huge size, accompanied by a negro man, groaning under the weight of a compass, and dragging a chain more resembling one used by bullocks than a surveyor; Greene with a hammer, an unwieldy old gun and broken lock in hand; Wayne with a large currying knife, and a leather apron buckled round his neck, and extending down to his feet.

This interlude was too good a thing to be lost; it was, therefore, as reported, carried across the Atlantic by a British Sergeant, who himself had probably been one of the personæ dramatis in America. At the instance of this son of Mars the interlude was got up in England, under the auspices of the manager of a strolling company, with additions, amendments, new scenery, decorations, &c.

On one of the nights of its being performed, and just as the curtain was dropping to close this ludicrous scene, amidst the plaudits of the spectators, an American (as in the gallery vociferated, "honor to my country, disgrace to old England for suffering their hides to be *dressed*, and their heads broken by American tanners and gun-smiths.") This piece of well-timed humour bore off the palm of applause from the interlude, and "consigned it to the tomb of the Capulets." If Major Andre's rhymes be yet remaining in the museum, with the permission of Mr. Peale, General Wayne's autographical prose report of the successful attack on Stony Point will also be placed in that repository of interesting exhibitions.

There were few, if any one of the officers in the American army, more valued than the accomplished and gallant William M'Pherson; yet rank in the estimation of the sentimental soldier is the immediate jewel of his soul, and even the most remote cause which, in his opinion, can affect it, is viewed with great jealousy; and this, unfortunately, was the case when Mr. M'Pherson, who held the rank of Brevet-Major, was honored with a command in the corps of Infantry, and in that part of it which had been drawn from the Pennsylvania line.

The field officers of the line, under a conviction that this appointment was an infringement of the military rights of those who were fully commissioned Majors, not only remonstrated against the measure, but ultimately resolved to resign their commissions, unless immediate redress should be granted.

For a full and satisfactory answer to the complaint of the field officers, the reader is referred to a letter of Gen. Washington, which appears in Rogers' "Remembrances," wherein will also be found a brief and handsome sketch of the life of Major Wm. M'Pherson.

The occurrence above mentioned, gave rise to the following correspondence between the Commander-in-chief and Gen. Wayne:

*Camp, Liberty Pole, 3d Sept. 1781.*

Dear Sir,—When I was first informed of the discontent which pervaded the field officers of the Pennsylvania line, on account of the appointment of Major M'Pherson to a command in the Light Infantry, it gave me much pain; but when I discovered the effect it had on

their minds was such as would, probably produce a general resignation, I felt every sensation that could possibly take place in the breast of one interested, in the fate of this country.

I saw the train of evils which would inevitably follow; I dreaded the dissolution of a line upon which the fate of America in a great degree depended. I looked forward to another campaign; I reviewed this army, in the state to which it would be reduced by the middle of January, when the mass of the people which now compose it would return to their respective homes, excepting those engaged for the war, among whom few, very few of the Pennsylvanians would remain; having no personal or local attachments to detain them after the dissolution of a corps of officers under whom they had often, very often, fought and bled, and consequently loved and esteemed. But when, in idea, I saw your Excellency at the head of a small and debilitated corps, obliged to give way before a puissant and desolating army, experiencing the most poignant distress at the devastation which you could not prevent—these considerations gave a sensation which the nicest feelings and truest friendship only know the force of.

The agitation in which you must have seen me; the indefatigable pains I took to divert the gentlemen from their purpose; my own, and the joint letters of Gen. Irvine to you, independently of the enclosed to the field officers, must have convinced your Excellency that neither Gen. Irvine nor myself, at this alarming crisis, remained unconcerned, idle, torpid spectators. Yet there have not been wanting *invidious incendiaries*, capable of insinuating, as I am informed, even to some of your Excellency's family, that from being disappointed of a command that I was fond of, I had, in place of preventing a most fatal disaster, endeavored to lay a train which, in its consequences, might have precipitated this country into ruin.

I do not know which most to pity, the weakness of the head or detest the badness of the heart of that man, who knowing me, could be capable of sporting so base a declaration.

A conduct of the nature imputed to me is suited to those only whose condition in domestic life cannot be worsened by any change of fortune; this is not my situation; I have, with your Excellency and others, every inducement to wish for a happy and speedy termination of this contest. I now anxiously wait for, and will with avidity seize the first moment when I can, with safety to my country, return to domestic life; a life that I am fond of, and in which I shall disregard envy, and escape those invidious insinuations which, I have ground to believe, have in other quarters and on other occasions been lately practised with too much success.

You will have the goodness to pardon this intrusion, & attribute it to the feelings of a soldier, jealous, very jealous, of his honor, and who experiences some alleviation in communicating them to his General and his friend; which is all the relief that circumstances will admit of, until time and fortune will be so kind as to unmask the caittiff who, in the *dark*, and by the basest unendos, has dared to stab at the character of

Your Excellency's most obedient

And affectionate humble servant,

ANTHONY WAYNE.

*Tappan, 12th August, 1780.*

6 o'clock, P. M.

Gentlemen—Let us entreat you by the sacred ties of honour, friendship, and patriotism, well to consider the measure recommended by us last evening, and however your feelings may be wounded, reflect that ages yet to come may owe their happiness or misery to the decision of this hour. Your own fate is so involved with that of your country's, that the same cause which affects the one will operate on the other.

For God's sake, be yourselves, and, as a band of brothers, rise superior to every injury, whether real or imaginary, at least for this campaign, which will probably

produce a conviction to the world that America owes her freedom to the temporary sacrifice which you now make.

You will also reflect that this is a favour solicited by men who would bleed to death, drop by drop, to defend your honour, as soon as they would do for that of

Your very affectionate humble servants,  
(Signed) ANTHONY WAYNE,  
WILLIAM IRVINE.

To the field officers of  
the Pennsylvania line.

N. B. At all events do not come to a final decision, should it be contrary to this request, before 7 o'clock in the morning, when we may have something to offer that may meet your approbation.

*Head-Quarters, Sept. 6th, 1780.*

Dear Sir—I have received your letter of the 3d, and return you my warmest thanks for your professions of friendship. These are the more pleasing as I am convinced they are founded in the strictest sincerity, and I hope it is needless for me to tell you at this time, that an equal regard for you prevails on my part. I am concerned, however, that you should have given yourself the trouble of writing me on the subject of your letter. I did not want any assurances or any proofs upon the point, because I entertain no idea that you encouraged the unhappy measure to which you allude, and which I wish to be buried in oblivion. Your former assurances, your anxiety to which I was a witness, the interesting part you took to compromise and settle the matter, were sufficient to remove any belief of the sort.

I do not know with certainty the person to whom you allude, as having attempted to injure you; but from what I have heard, and not without much pain, it is probable I could conjecture who it is. If I am not mistaken with respect to the person I mean, I can with the greatest truth assure you that he never mentioned a syllable to me in his life injurious to you in the least possible degree, nor have I any reason to believe that he ever did to any gentleman of my family.

The bare report of a coolness which is said to subsist between you and the gentleman I have in view, has given me great concern, because I have a warm friendship for both, and consider harmony essential to our interest. There is nothing, if he is the person, which would give me more pleasure than to hear that you were in perfect amity again.

Let it be the case; let all differences subside; the situation of our affairs never required it more, and in the emphatical terms of your and General Irvine's letter, of which you enclosed a copy—"Let us all be as a band of brothers, and rise superior to every injury, whether real or imaginary," and persevere in the arduous, but glorious struggle in which we are engaged, till peace and independence are secured to our country. I am certain you will do it, and I will only add that I am, with the most perfect esteem, your friend and obedient servant.

GEO. WASHINGTON.

General WAYNE.

Whatever unpleasant feelings General Wayne may have experienced on the subject of his address to the Commander-in-chief, they must have been of short duration. Indeed, it is probable that the reports which he heard had been so much exaggerated that, on closer inquiry, they ceased to give him any concern; however this might be, one thing is certain, that friendship alone is discoverable in his correspondence, both in and out of the army, during the remainder of the campaign of 1780.

Scarcely a doubt was entertained that General Wayne would have been re-appointed to the command of the Light Infantry, had the army admitted of such a corps, previously to the arrival of the Marquis de Lafayette from France. This great and distinguished friend of the United States, whom every American did then, as he does now, delight to honour, was appointed to that command, it being the greatest military compliment which the Commander-in-chief could possibly bestow

on him, and in which General Wayne did most cheerfully acquiesce. In fact, it would appear that General William Irvine, being in command of the second Pennsylvania brigade, would of itself have reconciled General Wayne to that of the first; notwithstanding it might, in some measure, have been wounding to the feelings of honourable ambition to resume a command subordinate to the one which he had executed for a length of time, that of conducting the Pennsylvania line of the army, and subsequently to that, the handsomest and most honourable command in the army, viz: the corps of Infantry. Between Generals Wayne and Irvine there had long existed a remarkably strong attachment, which commenced previously to the war and only closed with their lives. The correspondence between those two officers was unreserved, free, and interesting, nearly the whole of which is missing; a circumstance which is much regretted by their friends.

These two gallant men bore a strong resemblance to each other, and when mounted on horseback, the one could, with difficulty, be distinguished from the other, even at a short distance. Their ancestors had fought side by side, as officers under King William, at the celebrated battle of the Boyne, as their descendants subsequently did on this side of the Atlantic in a similar cause, and in the same line of the continental army, and what added greatly to their honour, they shared largely of the confidence and esteem of the illustrious Washington, who indulged them on every proper occasion with the privilege of acting as an independent corps, the command as senior officer devolving on General Wayne. Thus, so far as circumstances and military etiquette would admit, General Wayne was still in command of the Pennsylvania line, with which he was, before the close of the campaign, fully vested; in consequence of that very excellent officer and worthy man, Major General St. Clair, having been appointed to the superintendence of the left wing of the army.

In Rogers' Remembrancer of American heroes, sages, &c. will be found an interesting memoir of the late brigadier General William Irvine, to which the reader is referred.

The Marquis de Lafayette, who, in January, 1779, returned to France for the purpose of offering his services to his King, still retained his early zeal in behalf of the American cause, and exerted every means in his power to induce his court to send effectual aid to the United States. In this he most happily succeeded, and as no prospects equally congenial with his feelings appeared on the European continent, he returned to America, and about the middle of May, 1780, communicated to the Commander-in-chief and Congress, the pleasing intelligence that a French fleet, with a powerful detachment of land forces, might be speedily expected on the coast.

This joyful news roused the nation from its lethargy. Congress, and the executives of the different states, especially the inestimable Governor of Pennsylvania, exerted themselves to make such arrangements as the crisis demanded, and the patriotic merchants of Philadelphia proceeded to the establishment of a bank, with a capital of about £315,000, to be paid in specie, if required; the object of which was to supply the army with provisions, &c.

The stockholders were to derive no advantage from the establishment; their credit and money were to be advanced for the benefit of the continental army; they asked nothing more than that Congress should pledge the faith of the nation for a redemption of the costs and charges of the institution in a reasonable time. These stipulations were entered into, and the bank speedily went into operation, and was productive of very happy effects. In addition to this, the ladies of Philadelphia most nobly and patriotically subscribed large donations for the immediate relief of the suffering soldiers, which example was extensively followed. Yet those, with other sources of relief, fell far short of their objects.

(To be continued.)

**EXPORTS**  
FROM THE  
**PORT OF PHILADELPHIA,**  
*For the 2d Quarter of 1829.*

| PRODUCE AND MANUFACTURE OF THE U. STATES. |          |            |         |
|---|----------|------------|---------|
| ARTICLES.                                 |          | Quantities | Value.  |
| Dried Fish, - - -                         | qtls     | 616        | \$2,066 |
| Pickled Fish, - - -                       | brls.    | 1,308      | 3,966   |
| " " - - -                                 | kegs     | 58         | 3,637   |
| Sperm Oil, - - -                          | gal.     | 5,935      | 379     |
| Whale Oil, - - -                          | gal.     | 1,094      | 6,252   |
| Sperm Candles, - - -                      | lbs.     | 24,538     | 10,486  |
| Staves and Heading, - - -                 | M. of.   | 239        | 1,187   |
| Shingles, - - -                           | M. of.   | 71         | 34,606  |
| Boards and Plank, - - -                   | M. feet. | 176        | 5,339   |
| Other Lumber, - - -                       | value.   |            | 2,908   |
| Oak Bark, - - -                           | value.   |            | 7,797   |
| All other manufactured wood, value.       |          |            | 17,684  |
| Tar and Pitch, - - -                      | brls.    | 163        | 11,002  |
| Rosin and Turpentine, - - -               | brls.    | 810        | 7,681   |
| Skins and Furs, - - -                     | value.   |            | 47,679  |
| Ginseng, - - -                            | lbs.     | 36,850     | 250     |
| Beef, - - -                               | brls.    | 542        | 178,673 |
| Tallow, - - -                             | lbs.     | 69,725     | 10,704  |
| Hides, - - -                              | No. of.  | 344        | 32,863  |
| Butter, - - -                             | lbs.     | 24,004     | 13,270  |
| Cheese, - - -                             | lbs.     | 39,202     | 189     |
| Pork, - - -                               | brls.    | 1,849      | 9,089   |
| Hams, - - -                               | lbs.     | 63,811     | 115     |
| Lard, - - -                               | lbs.     | 158,906    | 26,008  |
| Horses, - - -                             | No. of.  | 2          | 7,034   |
| Flour, - - -                              | brls.    | 26,539     | 597     |
| Indian Corn, - - -                        | bush.    | 22,022     | 4,757   |
| " Meal, - - -                             | brls.    | 14,489     | 10,011  |
| Rye " - - -                               | brls.    | 3,756      | 1,337   |
| Rye, Oats, &c. - - -                      | value.   |            | 18,304  |
| Biscuit and Ship Bread, - - -             | brls.    | 2,446      | 3,202   |
| " " do - - -                              | kegs.    | 2,233      | 3,202   |
| Potatoes, - - -                           | bush.    | 155        | 15,169  |
| Rice, - - -                               | tcs.     | 1,447      | 43,758  |
| Cotton, - - -                             | lbs.     | 79,683     | 2,130   |
| Tobacco, - - -                            | hlds.    | 13         | 1,355   |
| Wax, - - -                                | lbs.     | 19,182     | 2,282   |
| Furniture, - - -                          | value.   |            | 16,412  |
| Coaches, - - -                            | value.   |            | 2,819   |
| Hats, - - -                               | value.   |            | 952     |
| Saddlery, - - -                           | value.   |            | 3,133   |
| Beer, Porter, Ale, &c. - - -              | gals.    | 128        | 5,076   |
| " " " - - -                               | doz.     | 1,861      | 19,637  |
| Spirits from Grain, - - -                 | gals.    | 14,493     | 300     |
| Leather, - - -                            | lbs.     | 10,374     | 2,125   |
| Boots, - - -                              | ps. of.  | 347        | 655     |
| Shoes, - - -                              | ps. of.  | 9,653      | 26,577  |
| Tallow Candles, - - -                     | lbs.     | 56,037     | 4,976   |
| Soap, - - -                               | lbs.     | 536,844    | 46      |
| Snuff, - - -                              | lbs.     | 737        | 2,662   |
| Tobacco, - - -                            | lbs.     | 36,349     | 3,619   |
| Linseed Oil, - - -                        | gals.    | 709        | 754     |
| Spirits Turpentine, - - -                 | gals.    | 2,282      |         |
| Nails, - - -                              | lbs.     | 16,412     |         |
| Iron and Steel, - - -                     | value    |            |         |
| Spirits from Molasses, - - -              | gals.    | 2,134      |         |
| Gunpowder, - - -                          | lbs.     | 207,556    |         |
| Copper, - - -                             | value    |            |         |
| Drugs, - - -                              | "        |            |         |
| Printed Cottons, - - -                    | "        |            |         |
| White do - - -                            | "        |            |         |
| Twist Yarn, - - -                         | "        |            |         |
| All other Manuf'd. Cottons, - - -         | "        |            |         |
| Bags, - - -                               | "        |            |         |
| Clothing, - - -                           | "        |            |         |
| Combs, - - -                              | "        |            |         |
| Brushes, - - -                            | "        |            |         |
| Umbrellas, - - -                          | "        |            |         |
| Leather Morocco Skins, - - -              | "        |            |         |
| Printing Press and Type, - - -            | "        |            |         |

| ARTICLES.  |   | Quantity | Value.  |
|--|---|----------|---------|
| Musical Instruments, - - -   | " |          | 270     |
| Books and Maps, - - -  | " |          | 4,728   |
| Paper, - - -   | " |          | 1,295   |
| Paints, - - -  | " |          | 934     |
| Vinegar, - - -   | " |          | 222     |
| Earthen and Stone Ware, - - -  | " |          | 275     |
| Glass Ware, - - -  | " |          | 7,584   |
| Pewter and Lead, - - -   | " |          | 171     |
| Manufactures of Marble, - - -  | " |          | 224     |
| Manu. of Gold and Silver, - - -                                      | " |          | 192     |
| " Tin, - - -   | " |          | 145     |
| Jewellery, - - -   | " |          | 2,535   |
| Trunks, - - -  | " |          | 371     |
| Plated Ware, - - -   | " |          | 3,426   |
| Unmanufactured Flax, - - -   | " |          | 1,056   |
| Scrap Iron, - - -  | " |          | 6,352   |
| All other manufactured Mdze. not enumerated, - - -                   | " |          | 7,135   |
| Raw Produce, - - -   | " |          | 6,084   |
| Total amount of Exports of Produce and Manufacture of the U. States, |   |          | 712,764 |

**Produce and Manufacture of Foreign Countries:**

| FREE—ARTICLES.                |  | Value.    |
|-------------------------------|--|-----------|
| Spelter, - - -                |  | \$85      |
| Brimstone, - - -              |  | 120       |
| Hides, - - -                  |  | 30,440    |
| Dye Wood, - - -               |  | 8855      |
| Mahogany, - - -               |  | 2947      |
| Specie, - - -                 |  | 100,850   |
| Total value of Free Articles, |  | \$143,297 |

**SPECIFIC ARTICLES.**

| ARTICLES.                          |          | Quantities | Value. |
|------------------------------------|----------|------------|--------|
| Madeira Wine, - - -                | gals.    | 243        | \$8198 |
| Lisbon " - - -                     | gals.    | 5000       |        |
| Claret, in cases, - - -            | gals.    | 750        |        |
| " casks, - - -                     | gals.    | 11,551     | 429    |
| Spirits, from Grain, - - -         | gals.    | 715        |        |
| " other than Grain, - - -          | gals.    | 3499       | 2378   |
| Tea, Hyson and Y. Hyson, - - -     | lbs.     | 33,604     |        |
| " Imperial and all other, - - -    | lbs.     | 27,015     | 32,999 |
| Coffee, - - -                      | lbs.     | 116,449    |        |
| Cocoa, - - -                       | lbs.     | 35,076     | 80,609 |
| Brown Sugar, - - -                 | lbs.     | 231,623    | 4232   |
| Almonds, - - -                     | lbs.     | 200        | 15,141 |
| Figs, - - -                        | lbs.     | 128        | 103    |
| Raisins, in boxes, - - -           | lbs.     | 375        |        |
| Tallow Candles, - - -              | lbs.     | 3689       | 625    |
| Soap, - - -                        | lbs.     | 1846       | 130    |
| Salt Peter, - - -                  | lbs.     | 17,123     | 1284   |
| Cassia, - - -                      | lbs.     | 55,625     | 9532   |
| Duck, - - -                        | sq. yds. | 2926       | 512    |
| Litharge, - - -                    | lbs.     | 172,392    | 14,834 |
| Indigo, - - -                      | lbs.     | 1300       | 1800   |
| Cotton, - - -                      | lbs.     | 28,678     | 2693   |
| White Lead, - - -                  | lbs.     | 7160       | 828    |
| Pig Lead, - - -                    | lbs.     | 72,922     | 2916   |
| Cordage, - - -                     | lbs.     | 57,057     | 3719   |
| Corks, - - -                       | lbs.     | 640        | 300    |
| Muskets, - - -                     | No. of   | 420        | 1417   |
| Nails and Spike Iron, - - -        | lbs.     | 43,256     | 925    |
| Sheet and Hoop " - - -             | lbs.     | 4520       | 319    |
| Bar Rolled " - - -                 | cwt.     | 43,000     | 431    |
| Books of all kinds, - - -          | lbs.     | 215        | 300    |
| Cigars, - - -                      | M.       | 158        | 1863   |
| Total value of Specified Articles, |          |            | 188513 |

## Ad Valorem Articles.

| ARTICLES.                                  | Value.   |
|--|----------|
| Flannels, &c. - - -                        | \$419    |
| Worsted Hose, - - -                        | 200      |
| Worsted Stuff, - - -                       | 350      |
| Colored Cottons, - - -                     | 30875    |
| White Cottons, - - -                       | 9307     |
| Cotton Hose, - - -                         | 1646     |
| Twist, Yarn, &c. - - -                     | 1655     |
| Nankeens, - - -                            | 14037    |
| All other Manufactured Cottons, - - -      | 85       |
| Silks, from India, - - -                   | 62072    |
| “ all other places, - - -                  | 2148     |
| Cloths, not exceeding 100 cts. - - -       | 427      |
| “ “ 250 cts. - - -                         | 803      |
| Clothing, - - -                            | 1443     |
| Linens, - - -                              | 22136    |
| All other Manufactured Flax, - - -         | 410      |
| Osnaburgs, - - -                           | 1588     |
| Russia Sheetting, - - -                    | 4694     |
| Side Arms, - - -                           | 135      |
| All manufactures of Iron and Steel, - - -  | 2472     |
| “ “ Brass, - - -                           | 1033     |
| “ “ Glass, - - -                           | 610      |
| Earthen and stone Ware, - - -              | 768      |
| All manufactured Gold and Silver, - - -    | 529      |
| Laces, other than Coach, - - -             | 3266     |
| Black lead Pencils, - - -                  | 60       |
| Quicksilver, - - -                         | 28595    |
| Unenumerated goods, at 12½ per cent. - - - | 10089    |
| “ “ 15 per cent. - - -                     | 57040    |
| “ “ 20 per cent. - - -                     | 440      |
| Total value of Ad Valorem articles, - - -  | \$259832 |

## Value of Domestic and Foreign Articles Exported to each Country.

| WHERE SHIPPED TO.                | Domestic Produce. | Foreign Produce. | Total.   |
|----------------------------------|-------------------|------------------|----------|
| Swedish West Indies, - - -       | \$11,741          | —                | \$11,741 |
| Dutch West Indies, - - -         | 3078              | —                | 3,078    |
| Danish West Indies, - - -        | 70,023            | 32,801           | 102,824  |
| Holland, - - -                   | 10,906            | 100,067          | 110,973  |
| England, - - -                   | 67,573            | 30,104           | 97,677   |
| British East Indies, - - -       | 12,339            | 9886             | 22,225   |
| British American Colonies - - -  | 29,532            | —                | 29,532   |
| The Hanse Towns, - - -           | 5259              | 25,685           | 30,944   |
| Fr. ports on the Atlantic, - - - | 9629              | 41,094           | 50,723   |
| do. Mediterranean - - -          | 4656              | 1676             | 6,332    |
| Hayti, - - -                     | 49,233            | 6349             | 55,582   |
| Cuba, - - -                      | 179,251           | 69,256           | 248,507  |
| Gibraltar, - - -                 | 11,344            | 25,978           | 37,322   |
| Mexican Ports, - - -             | 13,623            | 62,382           | 70,005   |
| Colombian Ports, - - -           | 75,303            | 4214             | 79,517   |
| Guatemalan Ports, - - -          | 8698              | 3466             | 17,164   |
| Buenos Ayres, - - -              | 25,729            | 3973             | 29,702   |
| Brazils, - - -                   | 69,370            | 10,371           | 79,741   |
| Maderia, - - -                   | 16,991            | 235              | 17,226   |
| China, - - -                     | 38,486            | 159,105          | 197,591  |
| Total Exports, - - -             | \$712,764         | \$591,642        | 1304,406 |

## RECAPITULATION.

|  |             |
|--|-------------|
| Total value of American Produce, - - - - - | \$712,764   |
| “ “ Free Articles, - - - - -               | \$143,297   |
| “ “ Specific Articles, - - - - -           | 188,513     |
| “ “ Advalorem Articles, - - - - -          | 259,832     |
| Total value of Exports, - - - - -          | \$1,304,406 |

Philadelphia Price Current.

## PENNSYLVANIA CANAL.

Mr. TWEED—I feel persuaded that the citizens generally, on the waters of the Susquehanna river, cannot but feel a deep interest in the improvements now progressing on that river; the favourable result attending a final completion of the Susquehanna Division of the Pennsylvania Canal, from Northumberland to the mouth of the Juniata, the introduction of the water into that division which has taken place; the rapid advancement, and ere long the final completion of the Shamokin Dam and Schute, all important appendages to the line of canal, and with the Eastern division of the Pennsylvania Canal commencing at the termination of the former, at the Juniata, and now in successful operation to Middletown, at which place the Western division of the Union canal commences, and with that canal and the Schuylkill Navigation Company, affording an uninterrupted water communication to the city of Philadelphia; a distance of about 220 miles. At once offering to the citizens a cheap, easy, safe and expeditious thorough fare to a market for the products of the country, and especially for the more ponderous products in that of the Iron and Coal, of which the country bordering on their waters will yield inexhaustible quantities. This desirable object can however, only be effected by the *extension* and final completion of the canal on the North and West branches of the Susquehanna. The forwardness of the works on those two branches are happily fast progressing to completion, so far as they have been sanctioned by acts of Assembly.

That the West Branch as far as Muncy hill, a distance of about 25 miles is in favorable progression, and no doubt would have been finally completed the present fall, the want of funds on the part of the Commonwealth only prevented. The contractors on these public works have been seriously affected the past season, owing to the circumstance of the failure on the part of the Commonwealth to provide the necessary funds in support of the work, cannot be denied and the result has been a partial suspension and inconvenience. The Board of Canal Commissioners, at their last meeting of the present month after a laborious session in which, was presented to them many important considerations, effecting deeply the interest of the canal and rail-road system have expressed the fullest confidence in the wisdom, justice, and liberality of the legislature, and they feel assured that ample funds will be provided at the earliest possible moment to meet the engagements of the State on these important works. That the present efficient board of canal commissioners have not been unmindful of the interests of the Commonwealth in prosecuting those public works to completion, as far as in them lie, they have recommended to the acting commissioners and superintendents to prosecute their works upon their respective lines without intermission, and that they continue to make the usual monthly estimates until the first Tuesday in December next, (the constitutional term for the meeting of the Legislature,) that in the absence of funds the respective commissioners and superintendents are directed to give to each contractor, or person entitled to receive payment, a certificate of the amount due such person, which certificate shall be signed by the acting commissioner or superintendent and countersigned by the clerk on the respective division. The question being so often asked, does the certificate bear interest? permit me here to remark, that inasmuch, in my humble opinion, it was not a subject specially within the province of the board of canal commissioners to stipulate, they have wisely left that steyed, untouched—my opinion on this subject would not admit of a doubt, on the part of the Legislature, that in their wisdom they would determine in favor of the contractors, and that those who had become possessed of these certificates by the sweat of the brow, that interest *should be paid*, nay it is but justice that imperiously requires it.

It would perhaps not be improper for me while I am

upon this subject to remark, to the contractors holding certificates, that inasmuch as they are issued expressly by the direction of the representation of the Commonwealth, and that every possible obligation exists on the part of the state, to redeem promptly those certificates. To such, then, who are now, and may become hereafter possessed of those certificates, that it would ill comport with good policy, that those evidences of debt should be permitted to become matters of speculation, with the money speculator, the contractor parting with his certificate for a less consideration, save that of the ordinary banking premium of discount; would in my humble opinion do away, in part, that just and patriotic motive which would induce the Legislature to favor the interests of the deserving class of our fellow-citizens, who have toiled on the public works of the Commonwealth, and to them alone, is the protecting care of the Legislature prayed for in the present case.

It will at all times give me pleasure to afford to the contractors on this line of canal, such facilities in the furtherance of their works as my power will admit.

JOHN RYON, Jr.

*Superintendent of the Susqueh. & W. Branch Div.*

CANAL OFFICE, MILTON,

October 21, 1829.

*State's Adv.*

### FRANKLIN INSTITUTE.

The 23d Quarterly Report of the Managers of the FRANKLIN INSTITUTE of the State of Pennsylvania, for the promotion of the Mechanic Arts.

The Board of Managers, in obedience to the 3d section of the 10th article of the constitution, make report of their proceedings since the last quarterly meeting of the Institute.

The principal objects which have engaged the attention of the board during the preceding quarter, are the experiments "to ascertain the value of water as a moving power, and the relative effects produced by it on water wheels of different constructions," and the monthly meetings for the discussion of scientific questions, upon the plan adopted at the quarterly meeting in April last.

The committee appointed to carry into effect the views of the board on the subject of water power, have continued to be actively engaged in the prosecution of the undertaking, and by their zealous and praiseworthy perseverance, have succeeded in collecting about \$2000 to defray the expenses.

The house for the accommodation of the apparatus for making the experiments, situated at the corner of Ninth and Vine streets, is completed. Four millwrights are now at work, and it is confidently expected that the committee will be able to present to the Institute the result of their labours at the next annual meeting. An additional subscription is considered necessary to enable the Committee to complete the experiments, which it is hoped the members of the Institute will voluntarily contribute to an object of so much utility.

The monthly meetings have been regularly held, and the subjects proposed have been discussed in that liberal and amicable spirit which ought always to characterize the search after truth. It is believed that something has already been done to forward the great work of improvement, for the promotion of which this association was formed.

A more general attendance of the members is desirable, and would tend to increase the interest already excited at these meetings, and render them still more useful.

The Committee on Inventions have diligently attended to the objects submitted to their inspection, which have been more numerous than formerly. The utility of this Committee is beginning to be generally felt and acknowledged by inventors, and they are frequently put in possession of facts and principles in relation to their supposed inventions, of which they were previously ignorant, and by which their views and pursuits are

entirely changed. Thus, often an honest and industrious mechanic, with mistaken ideas, is saved from the loss of time and money, while the ingenious inventor is encouraged and assisted by the countenance and concurrent opinions of those more experienced than himself, and thereby enabled to reap the reward of his exertions, at the same time that an important improvement is ultimately secured to the public.

The Board of Managers also beg leave to announce that the vacancy in the Professorship of Mechanics and Natural Philosophy, occasioned by the resignation of Dr. T. P. Jones, has been filled by the election to that office of Walter R. Johnson, A. M.

The lectures for the season will commence on the second Monday in November, and it is hoped that the members of the Institute will evince by their attendance, that interest in them which the variety and utility of the subjects to be treated of would seem naturally to excite.

The Board have always viewed the lectures of the Institute, as one of its most useful auxiliaries in the diffusion of practical and scientific instruction through the community, and also as one of the most effectual means of increasing the prosperity of the institution, and therefore respectfully ask the members of the Institute to aid and assist by their exertions, in extending the sphere of their usefulness.

The Board announce also that Mr. S. C. Walker has resigned the office of Teacher of the Mathematical School of the Institute, which he has conducted in a creditable and satisfactory manner. The vacancy thus created, has been filled by the appointment of Levi Fletcher, A. M. a gentleman already known to the Institute as their first teacher of Mathematics, from which situation he was compelled to withdraw, in consequence of ill health.

From the additional experience Mr. F. has acquired in the practical applications of the science of Mathematics, by being employed several years on board one of our ships of war, the board feel every confidence in his ability to communicate instruction in that department. The school will be opened the 27th inst.

The Drawing School will be opened at the same time, under the direction of the former teachers, Mr. H. Bridport and Mr. G. Strickland. The Board recommend strongly to the members these evening schools, as of very great importance to the rising generation, connected as they are with the privilege of attendance on the lectures. An opportunity is thus offered of acquiring useful knowledge, at a much cheaper rate than it can be obtained in any other manner, and at the same time of keeping the youths who attend, away from the haunts of idleness, immorality and vice, and nonrishing in them, at an early period of life, a taste for the solid pleasures which the studies of the arts and sciences must always afford.

The quarterly report of the treasurer is herewith presented, from which it will be discovered that the general funds of the Institute are very limited, owing to the tardiness of many of the members in the payment of their dues. The Board take this opportunity of urging punctuality as the only means by which this association can be rendered beneficial to its members and the public. The funds appropriated to meet the current expenses are at present considerably deficient of the amount due by the Institute, and as the expenditures have been limited by the Board to the least possible sum to keep them within the receipts, they have been compelled to postpone the execution of several important designs for want of means. If each individual member would use a moderate exertion for the interest of the society, it would be enabled not only to liquidate every debt, but would also have ample means to carry all the views of the Board into effect.

The sinking fund derives from the rents of the building, and from other sources, an income sufficient to pay the interest on the loan, and leave an annual sur-

plus, which will in a few years reduce the debt to a very moderate sum.

A number of valuable additions were made to the Library and Cabinet of Models and Minerals during the last quarter. The Board are happy in being able to state that the Hall of the Institute is becoming more and more attracting to the public. The number of models of machines recently deposited, and the valuable collections of minerals, books and periodicals now belonging to the Institute, are very interesting to strangers, as well as citizens. The rooms are open every day, Sunday excepted, and may be resorted to with profit and satisfaction, the actuary being constantly in attendance, using every exertion in his power to gratify the curiosity of visitors. Respectfully submitted.

THOMAS FLETCHER, Chairman, P. T.

W. Wm. HAMILTON, Actuary.

Hall of the Franklin Institute, Oct. 15, 1829.

### ENGINE AND HOSE COMPANIES.

I send you for publication, a correct list of the forty-four Fire Companies in the City and adjoining districts. Twenty-eight Companies are located in the city and limits, all of them, with the exception of one Engine and three Hose Companies, are Members of the Fire Association. Two Companies in Frankford are also Members of the Association, making forty-two Companies at present composing that flourishing Institution. A. B. [Daily Chronicle.

#### ENGINE COMPANIES.

|             |                   |                |
|-------------|-------------------|----------------|
| Assistance, | Good Intent,      | Philadelphia,  |
| Columbia,   | Good Will,        | Reliance,      |
| Delaware,   | Hand-in-Hand,     | Relief,        |
| Diligent,   | Harmony,          | Resolution,    |
| Fairmount,  | Hibernia,         | Southwark,     |
| Federal,    | Hope,             | United States, |
| Franklin,   | Humane,           | Vigilant,      |
| Friendship, | Northern Liberty, | Washington,    |
| Globe,      | Pennsylvania,     | Weccacoe.      |

#### HOSE COMPANIES.

|              |                   |                |
|--------------|-------------------|----------------|
| America,     | Humane,           | Phoenix,       |
| Columbia,    | Neptune,          | Resolution,    |
| Diligent,    | Niagara,          | Southwark,     |
| Fame,        | Northern Liberty, | United States, |
| Good Intent, | Perseverance,     | Washington.    |
| Hope,        | Philadelphia,     |                |

Amounts appropriated by the City Councils, to the Fire Companies, Sept. 1829.

| Engine Companies. |        | Hose Companies. |        |
|-------------------|--------|-----------------|--------|
| Assistance,       | \$173  | America,        | \$ 57  |
| Columbia,         | 173    | Columbia,       | 201    |
| Delaware,         | 173    | Diligent,       | 57     |
| Diligent,         | 217    | Fame,           | 201    |
| Good Will,        | 170    | Good Intent,    | 201    |
| Hand-in-Hand,     | 137    | Hope,           | 201    |
| Harmony,          | 164    | Neptune,        | 201    |
| Hibernia,         | 166    | Perseverance,   | 201    |
| Hope,             | 140    | Philadelphia,   | 227    |
| Pennsylvania,     | 227    | Phoenix,        | 227    |
| Philadelphia,     | 227    | Resolution,     | 201    |
| Reliance,         | 173    | Southwark,      | 201    |
| Resolution,       | 155    | Washington,     | 201    |
| Vigilant,         | 173    |                 |        |
| Washington,       | 155    |                 |        |
|                   |        |                 | \$2377 |
|                   |        |                 | 2623   |
|                   | \$2623 |                 | \$5000 |

Amounts appropriated by the Commissioners of the Northern Liberties, to the Hose and Engine Companies in the District, October, 1829.

|                           |       |
|---------------------------|-------|
| Northern Liberty, Engine. | \$215 |
| United States,            | 215   |
| Humane,                   | 195   |
| Federal,                  | 175   |

|                        |    |         |
|------------------------|----|---------|
| Friendship,            | do | 155     |
| Northern Liberty Hose, | do | 215     |
| United States,         | do | 215     |
| Humane,                | do | 215     |
|                        |    | \$1,600 |

### PROCEEDINGS OF COUNCILS.

THURSDAY, Oct. 22.

At a meeting of the councils held this evening, the following standing and joint committees were appointed:

Ways and Means—Messrs. Thompson, Kittera, Miller, Graff, S. P. Wetherill, Keyser.

Accounts—Walmsley, Hart, Kneass, Boyd, Cuthbert, Read.

Paving—Johnson, Donaldson, Gerhard, Massey, Read, Thompson, Worrell, Neff.

Markets—Price, Lippincott, Baker, Neff, Horn, Worrell.

Fire Companies—Keyser, Price, Kneass, Kittera, Read, Boyd.

Library—Troth, Rawle, Duane, Boyd.

Franklin Square—Worrell, Cuthbert, Hart, Roberts.

Logan and Penn Squares—Kittera, Hale, Horn, Lippincott.

Washington and Rittenhouse Squares—Miller, Horn, Johnson, Walmsley.

State House and Independence Squares—Kittera, Duane, Graff, Rawle.

Drawbridge Lot—Jones, Roberts, Thompson, Worrell.

Lombard st. Lots—Johnson, Baker, Worrell, Miller.

Chesnut and Mulberry street Wharves—S. P. Wetherill, Massey, Neff, Boyd.

Will's Legacy—Read, Thompson, Donaldson, J. P. Wetherill.

Mr. Horn presented the following paper:

"Mr. Raggs, who has been employed by the late Thomas Jefferson in various works for the University of Virginia, has the honor to propose to the select and common councils of the city of Philadelphia, several designs for a monument to be erected in the centre of Washington square, in memory of General Washington."

Referred to the committee on Washington square.

Mr. Johnson presented a petition for paving Barley street, running from Tenth to Eleventh, between Pine and Lombard. Referred to paving committee, with power to act.

Messrs. Roberts, Jones, Cuthbert, and Boyd, were appointed a committee to distribute wood to the necessitous poor.

On motion of Mr. Johnson, the following was adopted:

Resolved, by the select and common councils, that the city commissioners be, and they are hereby, directed to withdraw the appeals entered on behalf of the city, in the suit brought by Elisha Parker, Philip Mingle, Levi Hopper, Samuel Linton, N. Shultz, John Bray, Frederick Albright, Thomas Elton, Geo. Nagle, James Ireland, Andrew Gilmore, Jonathan Dixey, Jefferson Johnson, Eli Newman, Samuel Barry and John B. Cornean, against the mayor, aldermen and citizens of Philadelphia.

And that the said city commissioners be, and they are hereby required to pay the above named petitioners the amount of their respective judgments with costs.

On motion of Mr. Johnson, the committee on markets were requested to enquire into the expediency of securing the fish market from fire.—*Phil. Gaz.*

Mr. Stokes of this city, has discovered on his land, six miles from the city, and one and a half from the canal, a species of Marble, called bird's eye: its color is a dark grey, variegated with white shelly rings or curls, and points of deep jet, it bears a fine polish, cuts smoothly; and is well adapted for ornamental purposes. Mr. Stokes has some quarriers at work already, and has got out a slab of large size.

*Pittsburg paper.*



## RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 237.*

Nov. 25, 1753. Answer of Governor Hamilton to the Earl of Holderness, (published p. 236) requesting information as to the bounds of the British Empire on this continent.

Feb. 13, 1754. Money sent by the Lords of Trade from his Majesty, for presents to the Indians. Letter from Governor Dinwiddie, Williamsburg, Jan'y 29, 1754 "The Gentleman (Mr. Washington) whom we sent express to the Ohio returned. The French had taken post on a branch of that river and built a fort there, with cannon and had in readiness materials for other posts, particularly for one at Logstown, the place they meant for their chief residence. He made complaint to the commander, of the violence offered his majesty's subjects. He answered "that the country belonged to them; that no Englishman had a right to trade upon those waters, and that he had orders to make every person prisoner that attempted it." "The power of our enemies is far from being contemptible. They have engaged three Indian nations, the Chippaways, Ottoways and Onondacks to take up arms against the English; and from the best information, Major Washington learned that the French had four posts on the Mississippi, besides their own settlement at New Orleans, where they had 1400 men in garrison. By means of the Washash they have a communication between Canada and the Mississippi and some forts on the Ouabash to protect it. Before they sent their troops into winter quarters, last fall, they called the several tribes of Indians near the fort together and told them, that although they were going into winter quarters, yet they would see them in the spring with a much more considerable armament and they would take possession of the Ohio; and threatened them if they were not passive. He (Gov. D.) had ordered out a detachment of militia and proposed to have what men he could raise at Wills' creek on the head of Potomac early in March, as the place of rendezvous, suggesting that Pennsylvania should aid, and they would march to the Ohio very early." Answer from the French officer, Fort on the river de Beauf, Le Gardeur de St. Pierre. The French army mostly returned down the lakes in the winter, not being able to accomplish their designs on the Ohio, on account of the Indians. Letter from Gov. Shirley, Boston, offering assistance.

Message of Governor to Assembly, Feb. 14. "Gentlemen, French forts and French armies so near us, will be everlasting goads in our sides; our inhabitants from thence, will feel all the miseries and dreadful calamities, that have been heretofore suffered by our neighbor colonies. All those outrages, murders, rapines and cruelties to which those people have been exposed, are now going to be experienced by ourselves, unless a force be immediately raised sufficient to repel these invaders.—Hoping they would make provision early. That by letter from the Lords of Trade, of Sept. 18 last, he was informed "His majesty had ordered an interview with the Indians next summer at Albany with the six nations, and a large present, recommending commissioners to be appointed—that the Governor of New York had fixed on the 13th or 14th of June next—all the provinces to be comprised in one treaty.

Feb. 17, 1753. Dispute about the money bill—Governor negatives it, and suggests another mode of raising money by striking bills and raising a fund to sink them in a few years.

March 1. Governor's answer to Report of the House on the money bill.

March 2. Assembly excuses itself from raising supplies for military service, as the Earl of Holderness forbids their going out of their undoubted limits and they ought not to fix them; nor has the Governor explained them; nor has Virginia, nor Maryland, nor New Jersey agreed to raise forces. Answer of Governor, very severe upon them.

March 12. Evidence sent to the house that Venango and Logstown where the French Forts are built are in the province of Pennsylvania.

March 9, 1754. House said they were not—satisfied as to the limits. 2d. They would not act as principal, but wait the Assembly of Virginia—and adjourned March 9 to the 6th May.

Two letters by express from Virginia. That the Legislature had given £10,000 and proclamation issued to raise a regiment to rendezvous at Alexandria, head of Potomac, 20th of March. Gov. H. thereupon summoned the Legislature for 2d April. Williamsburg, March 21, Gov. Dinwiddie says in answer to Gov. H.—"I am much misled by our surveyors, if the forks of the Monongahela be within the bounds of Mr. Penn's grant."

The following extract from a letter of Gov. Shirley dated Boston, March 4, 1754, to Gov. Hamilton, contains a most full and sensible summary on the several matters most interesting at this crisis. "It appears to me that the several patents granted by King James, the first to the two councils established at Plymouth and London for planting colonies upon this continent, are the only rule for the English Governors to judge of the limits of the colonies under their respective governments concerning the extent of his majesty's territories upon this continent, except in cases where the original limits declared in those letters patent may be altered by treaty or other agreement, between the two crowns. Now these patents extend the English territories lying within the 32d and 48th degree of northerly latitude, quite across this continent, viz. from the Atlantic ocean to the South sea; and I can't find that those Eastern & Western limits have been abridged by any treaty. Acadia or Nova Scotia hath indeed passed by several treaties between the two crowns at different times to & from the English & French but what the treaty of Utrecht which is the only one that makes the least mention of the limits between the English French upon this continent, expresseth concerning that matter is contained in the 15th article by which the Indians of the five nations are declared to be subject to the dominion of Great Britain, and it is stipulated that the English and French shall on both sides have, and enjoy full liberty of going and coming (viz. upon any part of the continent) on account of trade, also that all the Indians, natives of the country, whether in subjection to the English or French, or friends to either, shall have the same liberty to resort as they please to the French or British colonies for promoting trade on the one side and the other but it was to be exactly and distinctly settled by Commissaries; which of the Indians are and which ought to be accounted the subjects and friends of Britain and France."

This hath not yet been done; but it is most evident the erecting of forts by the French upon the lakes and river behind the English colonies in order to exclude them from trading there with the Indians, and the taking away the effects of our traders, and making them prisoners; all which. Mons. Le Gardeur Desthiere has done, and declares in his answer to Gen. Dinwiddie, that he had orders from Mons. Du Quesne, the French Governor General of New France and the Louisiana, so to do, is doubtless an infraction of the treaty of Utrecht, and a violation of the peace of Aix-la-Chapelle; at the time of making which, it was stipulated that neither crown should make any new settlement in any part of continent which is controverted between them, until the same shall be settled by commissioners; so that if there was room to entertain any doubt whether the branches of the Ohio, upon which the French are erecting forts for these declared purposes, were within the limits of

his majesty's dominions, which I can't think there is, yet it seems clear that his governors of North America have good right, and are bound in duty to his service and faithfulness to the trust reposed in them for promoting the safety and welfare of his people under their government, to use their utmost endeavours to remove them, as I cannot find that the French have any other pretensions to that vast country which they claim on the back of the English colonies, between Canada and Mississippi, extending westward as far as the Pacific Ocean, than that it hath been more traversed by their courseurs des Bois and hunters, than that it hath been by the English. As to the immense fur trade which they would monopolize there, it is directly contrary to the treaty of Utrecht, as well as the rights of dominion they pretend to over the numerous tribes of Indians inhabiting it.—And if the right to the soil was to depend upon Indian treaties, so far as I can learn, the right of the English to that tract is better founded upon that footing than theirs. But whatever doubt or obscurity there may be concerning his Majesty's right of dominion over these territories, the scheme of the French, in circumscribing the English colonies within the Appalachian mountains, which they pretend to be the western boundary between us and them, is evidently this, to monopolize the immense fur trade within that tract to themselves, to subject all the Indians behind those mountains to their power, to establish a communication between Canada and their possessions upon the Mississippi by a chain of forts upon the lakes and rivers, in which they have already made a most surprising progress, and by that means perpetually to harass our southern colonies, with incursions of the savages from behind the mountains.—All which must not only prove an effectual bar to the extension of his Majesty's southern colonies, and particularly to the westward, but seems to threaten them with destruction in the end, especially considering the infinite advantage which the French, who, from the nature of their government, can play all their engines at once, and direct their whole force where and when they please, have over the English colonies in time of war, which are very much governed by assemblies independent of each other, frequently disunited in their councils, some of them very remote from others, and all of them looking upon themselves to be concerned in the common cause in proportion to their nearness or remoteness from the present danger. And if the French should prevail in the attempt to seduce the Indians of the six nations from their alliance with the English, and gain them over to their interest, which I am afraid they are in a fair way of doing, there seems reason to apprehend that such an event may be nearer than is generally imagined. To obviate the danger, the union of all his Majesty's colonies upon this continent, as recommended in the Earl of Holderness's letter, seems absolutely necessary, and as there is to be an interview with Indians of the Six Nations at Albany, in June next, to which I suppose commissioners will be sent from the governments of Virginia, Maryland, Pennsylvania, New Jersey, the Massachusetts Bay and New Hampshire, and perhaps Connecticut, I would propose it for your honor's consideration, whether this meeting of the commissioners from so many governments to treat with the Indians in concert with the Governor of New York, may not yield the most favorable opportunity for beginning such an union, in a most essential article, by jointly agreeing upon such measures as may most effectually preserve and strengthen our alliance and friendship with these nations, for which purpose, the several commissioners should have sufficient powers given them by their respective governments, as also to settle the quota of each government, either in men or money, for carrying what shall be agreed upon, into execution; whether that shall be by erecting and maintaining one or more forts within such parts of the Mohawk country as the Indians themselves shall choose for the protection of it, with their squaws and papooses, against the incursions

of the French and Indians, in their alliance, at such times as shall be most acceptable to the Indians and conducive to his Majesty's service. This is what I shall recommend in a most pressing manner to the assembly within this government, which is to meet the 27th of this month, to do on their part; and I can't but think it would have a most happy effect, if his Majesty's several governors could prevail on their respective assemblies to join in so salutary and necessary a measure for the common cause. Mr. Trent has received a commission from the governor of Virginia, and with about seventy men are building a fort at the mouth of the Monongahela.

April 3, 1754. Assembly meets—the Governor acquaints them with the vote of the Virginia legislature, and presses them for supplies; also to provide for commissioners to Albany, and presents to the Ind ans there.

Answer, April 12. Stating they had considered the message of the Governor, but after all their debates, we find that near one half the members are for various reasons against granting any money to the King's use at this time, and those who are for granting, differ so widely in their sentiments concerning the sum, that there seems no possibility of agreeing, except in such a sum as in the judgment of many is quite disproportionate; therefore, in order to consult their constituents, they inclined to adjourn to the 13th May. They approved of Mr. Penn and Mr. Peters, of council, and Mr. Morris and Mr. Franklin, of assembly, who had been nominated by the Governor as commissioners to go to Albany, and promise to provide for that business. The Governor in reply, is surprised at their doing nothing—recommends a shorter adjournment. Adjourned to 6th May.

#### LAW CASE.

An interesting case was tried last week in the District Court of the city and county of Philadelphia, before Judge Hallowell, and a special jury, in which some principles were discussed and decided important to Banks and their customers, and indeed to commercial men generally.

The judge delivered it to the jury as his opinion, that a Bank who receives a bill for collection in another state, or at a distance, and transmits it to another Bank for that purpose—is not responsible for the acts or omissions of the Bank to which it is transmitted, or any of its officers; but that the transmitting bank does its duty by sending on the bill with proper instructions, by conducting a correspondence with the distant banks in a proper manner without unnecessary delay; by communicating all material occurrences respecting it to the depositor and by crediting him with the proceeds when paid or passed to its credit by the corresponding bank.

That a Bank receiving such a bill for collection, and omitting or neglecting in a reasonable time to write to its correspondent bank for information as to its fate, *makes the bill its own*—and must pay the depositor the amount; or, if it has been paid, cannot recover it back.

That the distant Bank is responsible over to the transmitting bank—if it suffers loss in consequence of their having omitted or neglected to give in a reasonable time information of their proceedings in relation to the bill, and of its ultimate fate.

Whatever a Bank undertakes to do for a depositor, it must do with fidelity, diligence, and skill; the same principle applies between banks corresponding with and doing business with each other.

That it is immaterial whether the *drawer*, or the person on whom the bill is drawn, be *solvent or not* at the time of its being drawn or presented, *diligence*, and *due notice*, are indispensable in all transactions of commercial affairs generally, and more especially in relation to bills of exchange and promissory notes.

Some other points of minor importance occurred in the course of this trial, which were discussed by the council with ability, and decided by the judge. There were a variety of matters of fact to be considered besides the questions of law.

The arguments were conducted by Mr. Scott and Mr. Randall, for the plaintiff.

And by Messrs. Vincent L. Bradford, Thomas Bradford, Jr. and Chauncey, for the defendants.

A verdict was rendered for the plaintiff, which accorded with the principles laid down by the Judge.—*Am. Daily Advertiser.*

### MISCELLANEOUS.

PITTSBURG, October 2.

**Practical Demonstration.**—On Wednesday evening, before sunset, a small keel boat, with seventy barrels of salt, towed by one small horse, arrived at Alleghenytown, from Freeport, which place she left that morning. To have conveyed this salt by land, would have required six wagons, with five horses and a driver each, and one day and a half travelling.

Thus, on the Canal, one horse and two men have performed the work, in one day, which, by a turnpike road, would have employed thirty horses and six men for one day and a half each.

PITTSBURG, September 30.

**Successful Experiment.**—Mr. R. Toland of Philadelphia, forwarded to Middletown, by the Union Canal, four wagon loads of Goods, to be from thence transported to Pittsburg by wagon: These goods were received by Messrs. Riddle, Forsyth, &c. of this place, seventeen days after they were loaded in Philadelphia, being at least one day less than the time usually taken by wagons.

The cost of transportation was 25 cts. per 100 pounds less, than was paid on goods, which were loaded at the same time in Philadelphia by wagons,—thus demonstrating both the cheapness and celerity of canal transportation.

SUNBURY, Oct. 19.

The water has been running over the Shamokin dam for a week past, without causing the slightest injury to the work. If the river continues at its present pitch for any length of time, the work cannot be completed so soon as was contemplated. The feeder to the canal (opposite the dam,) was considerably injured by the high water undermining its foundation. The water is now let into the canal above the lock. The navigation will not be in the least retarded by this accident. It is supposed that the water has passed Liverpool before this time.

Mr. C. Dingee, of this borough, has raised from one seed potatoe, one hundred and fifty-two potatoes, of merchantable size, measuring near a half bushel, and weighing 31 pounds. Also, a radish measuring 35 inches round, and weighing 15 lbs. 4 oz. The seed was obtained from Mr. Abel, in the Neck near Philadelphia.

The decease of JOHN HENRY SIMLER, a soldier of the Revolution, occurred in this city about ten days ago. In the year 1780 he enlisted in France as a private, and served as a Dragoon in Capt. Bart's corps of the First Troop of Light Dragoons, Free Legion, under the command of Col. Armand. He arrived at Boston, and proceeded thence with his Troop to York town in Virginia, at which memorable siege he was present, and assisted in the capture of it by the united forces of America and France. He was wounded in the forehead and eye by a sabre, and retained the scar until his death. He remained in the service until regularly discharged at Philadelphia, although the greater part of his Troop was discharged immediately after the surrender of Yorktown. On the termination of the war, he married and settled in Philadelphia, where he remained for about 15 years. In 1793, he lost his wife by the yellow fever; he then married a second time, and in 1797 removed to Philipsburg in Centre county, Pa. a perfect wilderness at the time. He built the first house in the place, where he resided

until he lost his second wife, in the year 1822. In the year 1829 he again removed to Philadelphia, with his only son, where he lived until his death.—*Sat. Bulletin,*

**LUMBER.**—About eight million feet of lumber, at the lowest estimate, will be consumed the present season in this borough and vicinity, which has made it a scarce article, and advanced its price two-fold. All the saw-mills in the neighbourhood have been kept in full gear, but the quantity they supply has not been adequate to the demand, large quantities having been brought from the Susquehanna and Philadelphia.

Large tracts of well-timbered land abound in the Catawissa Valley, along the Mahanoy, and in fact throughout almost every portion of this country, through which streams are winding, on whose courses numerous saw-mills can be erected at a trifling expense, and would abundantly reward those who feel disposed to embark in such undertakings.

In some of these vallies the soil is of an excellent quality, and could be cultivated to great advantage.

*Miners Journal.*

A convention of the citizens from the southwestern counties, in Pennsylvania, was held at Brownsville, on the 18th September, for the purpose of taking into consideration the improvement of the Monongahela river, from the Virginia line to Pittsburg.—*lb.*

The public are indebted to our fellow citizen Nicholas Biddle, Esq. President of the United States Bank, for the new stairway to Iris Island, at the Falls of Niagara, who was lately on a visit to the Falls, and learning that the spiral stairway on the British side had been built by the subscriptions of certain citizens of Boston, and perceiving the increased interest which would be added to the scenery by making the base of Iris Island accessible, generously proposed to one of the proprietors of the Island, to commence the construction of this stairway, and draw on him for the expense.—*Bulletin.*

**BLAIRSVILLE, Indiana County.**—By the Blairsville Recorder we learn, that in September, 1827, this thriving village contained 501 inhabitants; it now contains 1023, being an increase in two years, of more than one hundred per cent. Within that time, four brick houses of public worship have been erected, viz:

A Presbyterian Meeting house, Methodist Meeting-house, an Episcopal Church, and a Catholic Chapel.—Ground has also been purchased for a German Lutheran Church. There are in the village, forty-seven brick, seventy-two frame, forty-seven log, and four stone houses, besides several brick buildings now under way.

**A new Market for Schuylkill Coal.**—Last week some of our coal merchants shipped off several boat loads of coal for the Womelsdorf and Lebanon, Pa. markets.—They proceed to Reading, and there take the Union canal for their place of destination. This looks like "carrying coal to New-Castle."—*Miners Journal.*

A new Post Office has been established at Starrucca, Wayne county, of which David Spoor, Esq. is appointed Postmaster.—*Lehigh Pioneer.*

**Erratum in our last.**—For violations in the first line of page 272, read relations.

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EDITED BY SAMUEL HAZARD.

**VOL. IV.—NO. 19.**

**PHILADELPHIA, NOV. 7, 1829.**

**NO. 97.**

## REPORT

*Of the Canal Commissioners.—Read, February 8, 1826.*

CANAL COMMISSIONERS' OFFICE,  
Philadelphia, Feb. 3, 1826.

SIR,—I have the honor herewith to transmit to your Excellency, a report of the Commissioners, together with the field notes, drafts and maps, therein referred to.

With the highest respect,

Sir, your most obed't serv't,

JOHN SERGEANT, Pres't.

His Excellency, J. ANDW. SHULZE,  
Governor of Pennsylvania.

The Canal Commissioners of Pennsylvania, in obedience to the 8th section of the act of 7th April last, requiring them to present "a plain and comprehensive report of all their proceedings," respectfully submit the following statement:

The attention of the board during the past season, has been directed exclusively to those routes, which were supposed to admit of a navigable communication between the Allegheny and Susquehanna rivers, across the great ridge which divides the eastern and western waters of the state. Four such routes have been accurately levelled and surveyed—and it remains only for the board to detail the results.

The examination of the most northern route, was entrusted to William Wilson, Esq. of Lycoming county, who left Williamsport with his party, on the 4th July. According to the instructions of the board, he proceeded immediately to the dividing ridge, in order to search for a pass by which a canal might be conducted with a sufficient supply of water upon its summit level. Such a pass was supposed to exist at Flag Swamp, a marsh situated between the north end of Boone's mountain, and the ridge which separates Kersey's run, (a tributary of Bennett's branch of the Sinnemahoning,) from Little Toby's creek. This marsh occupies the centre ground so exactly, as to discharge part of its waters into each of these streams, and had therefore been represented to the board as an eligible route for a canal. Accordingly, Mr. Wilson gave his earliest attention to this spot. But after levelling from it to the neighboring streams, in various directions, he found it did not admit of an adequate supply of water. Compelled to abandon this route, Mr. Wilson extended his levels towards the head waters of the Driftwood branch of Sinnemahoning, and after many fruitless researches, was at length so fortunate as to find a pass 140 feet lower than Flag Swamp, and much nearer to the feeding streams, which alone can supply any summit in that quarter. Subsequent examinations render it extremely probable, that this pass is in fact the lowest in that part of the country. It is about 400 feet lower than the dividing ridge to the southeast, which separates the branches of Big and Little Toby, and to the north, the ridges rise far above it, uniting themselves with the high table land in which the Big Toby, the Allegheny, Genessee, Cowanesque, Pine Creek, and Sinnemahoning, have their sources. Its height above the mouth of Juniata, is 1400 feet, and above Pittsburg, 967 feet.

After discovering this pass, Mr. Wilson proceeded with his levels to Big Toby, in order to determine at

what point the waters of that stream could be used for the supply of his summit level, and the result induced him to propose sinking his summit, by means of a tunnel, and deep cut 142 feet below the top of the ridge. At this level, it was ascertained that a large quantity of water could be procured from the branches of Toby, and other streams in the vicinity. These streams were carefully measured, and the number of cubic feet, which they are estimated to furnish per day, is as follows:

|                                      |         |
|--------------------------------------|---------|
| Upper fork of Toby,                  | 614.400 |
| N. E. fork of Toby,                  | 471.460 |
| Elk lick run,                        | 164.861 |
| East branch of Elk creek,            | 204.972 |
| Kersey's mill creek, and Carr's run, | 75.427  |
| North fork of Elk creek,             | 125.649 |
| West creek,                          | 113.842 |

Total, 1,770.611

It is believed that reliance may be placed upon the method pursued in these measurements; but Mr. Wilson has justly remarked, that in the midst of a wilderness, and with no other tools than axes, it was impossible to construct the dams employed, in such a manner as to be tight, and that the flow of water on this account, is probably much undervalued. Two streams—Mill creek and Otter run, were not gauged, and are therefore omitted in the foregoing list, although Mr. Wilson thinks they would afford a considerable supply.

It has been stated, that in order to obtain this supply of water, the summit level must be depressed, and a tunnel constructed. Mr. Wilson ascertained that the length of the tunnel would be 482 perches, supposing the open canal continued at each end, until it reached the depth of 40 feet. The soil was found to be a soft clay-slate, and sand stone, very favorable for such a work, as it is easy of excavation, and would prevent the necessity of arching.

Having finished these operations upon the summit, the routes to the Susquehanna, by the Sinnemahoning and West branch, and to the Allegheny by Toby's creek and Clarion river, were next to be attended to. The season was so far advanced, that the first of these only, could be examined. But this was carefully done down to the mouth of the Juniata.

The accompanying map and profiles will give the result of this survey. The draft of Toby's creek, and Clarion river, and of the Allegheny river to the mouth of Kiskeminetas was copied from the state map, and the board cannot therefore be responsible for its correctness. The entire descent to Pittsburg was ascertained from a connexion of the levels, taken by the different parties, under the direction of the board.

An impression having very generally prevailed, that a practicable pass for a canal might be found, at the head waters of the West branch of Susquehanna, John Mitchell, Esq. of Centre county, was engaged to examine in that direction. He left Bellefonte with his party on the 2d of August, and after passing some days in exploring the country, which divides the waters of Big Mahoning and the Susquehanna, established his first level bench, at a part of the ridge called in the map "the Clover Patch." From this point he directed his levels to the river, which he struck about a mile and a half below the mouth of Chest creek, and at a depres-

sion of 794 feet below the summit of the ridge. He then took his course up the river to the "Cherry Tree," which stands immediately below the mouth of Cushing creek, about 22 miles above the mouth of Chest creek. Here he determined to carry a level up the Cushing, believing that it presented a favorable prospect of a low summit between the head waters of the river, and those of Two Lick creek, a western stream, running into the Conemaugh. He was not disappointed. A pass was discovered at the distance of four miles from the Cherry Tree, and at an elevation of 257 feet above it, which has proved to be the lowest yet found, between our eastern and western waters; being 126 feet lower than that found by Mr. Wilson.

An inspection of the profile of this route, will show that the ascent is very gradual up the dividing ridge, which is itself a hill of moderate acclivity.

Mr. Mitchell's next business was to determine what waters could be brought to his summit, and for this purpose he made extensive examinations in various directions, which it is not necessary to detail in this report. The result was not fortunate. The whole supply from the eastern waters, (two branches of the Susquehanna and Chest creek,) amounted to but 69.483 feet per day. The waters on the western side would have to be brought, by a long and circuitous route, over a feeder summit, which, after being excavated to the depth of 48 feet, is still 393 feet above the proposed summit of the canal. Of these streams the Black lick alone was measured, and that at the forks below the feeder summit, and found to yield 46.196 cubic feet per day. Cushing creek and Dutch run were not gauged, but the first is supposed by Mr. Mitchell to be equal to Chest creek, and the second to the southwest branch of the Susquehanna, that is, they would yield 67.114 feet per day. The whole supply of water then cannot be estimated at more than 182.773 cubic feet—a quantity probably insufficient to provide for leakage and evaporation.

After completing his examination of the summit, Mr. Mitchell returned to the point, at which he first struck the river, and continued his levels to the mouth of Clearfield creek, where they were connected with those of Mr. Rawle, and thence to the mouth of Sinnemahoning, where they were connected with those of Mr. Wilson. The board were surprised to find, that the distance from the mouth of Juniata to Pittsburgh, was greater by this than the northern route. Its computed length is 365 miles and 289 perches. The height of the summit is 1273 feet above the Juniata at its mouth, and 840 above the Allegheny at Pittsburgh.

That part of the draft which exhibits the route from the summit by the Two Lick, and Black Lick, to the Conemaugh, not having been surveyed, was taken from the state map.

At a meeting of the board, which was held at the town of Clearfield, on the 31st August, it was determined to explore a line from the Susquehanna by the Clearfield creek, to the head waters of the Conemaugh, and Francis W. Rawle, Esq. was selected for the performance of this duty. After an inevitable delay, caused principally by the difficulty of procuring proper instruments, Mr. Rawle commenced his operations at the mouth of the Clearfield, on the 26th September. From this point the levels were carried up the stream, to the summit of the dividing ridge between the Clearfield and a small branch of the north branch of Conemaugh, at the distance of 71 miles and 72 perches, and at an elevation of 946 feet. It was now necessary to determine the relative heights of this summit, and the feeder line of the survey of 1824, which takes in the streams on the west side of the Allegheny mountain, upon which the principal dependence must be placed for a supply of water. A line was accordingly run to the level of that feeder, which was found to be 150.61 feet lower than the assumed summit.

It was evident, therefore, that the summit of the canal

must be depressed;—and it was ascertained that this could be done to the depth of 220.34 feet below the top of the ridge, by a tunnel 367 perches in length. A feeder line was accordingly established at this level, and was continued until it intersected the north branch of the Conemaugh, 424 perches below Lilly's Mill, and 300 perches above the mouth of Ben's creek;—the distance from the summit level being six miles and 193 perches.

It was not considered necessary to continue this line further, as the ground had been surveyed by the late commissioners, and was then under examination by Mr. Davies. It is now ascertained, that the length of the feeder on this side would be about 18 miles.

Passing over to the Clearfield side, another feeder line was run, 3 miles and 153 perches in length, to Storm's mill stream, the mountain branch of the Clearfield—this and the Munster branch were gauged, and found to yield together 88.878 cubic feet per day. The streams from the mountain were not gauged by Mr. Rawle, but the water which they would furnish may be determined from the measurement of Mr. Davies, and of the late commissioners.

The pass adopted by Mr. Rawle, was selected for its vicinity to the feeding streams. To ascertain whether it was in fact the most eligible, a line of levels was run along the dividing ridge, chiefly on its summit; and at a distance of two miles from the first pass, another, 84.36 feet lower, was found, between the leading branch of the Clearfield, and the Elk Lick branch of Conemaugh. A deep cut of 66.25 feet, at the top diminishing both ways, and 152 perches in length, would form a connexion on a level with the feeder line of Messrs. Holgate and Clark.

From this place the levels were carried between the other head branches of Clearfield and Conemaugh, of Chest creek and Conemaugh, and of Chest creek and Black Lick, and the dividing ground was found to be generally of the same elevation as the pass first selected.

Mr. Rawle's levels are connected with those of the late commissioners at their tunnel line, and with those of Mr. Mitchell at the mouth of Clearfield, and also at a branch of Chest creek.

The entire length of this route, from the mouth of Juniata to Pittsburgh, is about 395 miles. Its lockage would be very considerable, the summit being 1457 feet above the former, and 1024 feet above the latter point.

The attention paid by the late commissioners to the Juniata route, may be supposed to have obviated the necessity of further examination. But as a more eligible pass was supposed by many to exist, and no surveys and levels had been carried down the Conemaugh and Kiskemincus, the board early determined to employ a party in this quarter, and John Davies, Esq. of Dauphin, was placed at its head.

Mr. Davies began his operations on the 1st August, by ascertaining the summit, on the Allegheny mountain, between Bob's creek, a tributary of the Raystown branch, and Ben's creek, a mountain branch of Conemaugh. Extensive examinations were next made, in order to determine whether, supposing this summit to be depressed by a deep cut, or tunnel, water could be obtained for the purposes of navigation, and levels were run to those streams on both sides of the mountain which were believed to be available.

The measurement of streams on the east side, gave the following results:

South Poplar Run, above Black's saw mill, 1 cubic feet per sec.

Spring branch of Frankstown branch, above Seth's mill, 7 cubic feet per sec.

Blair's creek, 2.2 cubic feet per sec.

Heaver dam, branch of Juniata, 2.7 do.

Cove creek, below M'Kee's mill, 24 do.

Unfortunately, however, this ample supply of water,

lies too low to be introduced upon any level by which the summit might be passed.

The first stream was measured 1275 feet below the summit, and the last, which yields nearly twice as much as all the rest, is 1531 feet below the same point. The quantity they could supply for a practicable tunnel, is very inconsiderable.

On the west side, measurements of the south fork of Conemaugh were made by two methods. The result by the first, which is the same used by the late commissioners, was 359.424 cubic feet per day, and by the second, 359.685 feet. The same stream, in 1824, appeared to yield 2.073 600 cubic feet per day, or nearly six times the quantity found by Mr. Davies. This difference is remarkable, and must have an important bearing on the question of a tunnel. Assuming the measurement of Mr. Davies as correct, and supposing the supply from Ben's creek, Bear Rock run, Laurel Swamp branch, Beaver Dam run, Trout run and Laurel run, to be ten feet per second, as found by the late commissioners, we may estimate the entire supply of water from the western side, upon their tunnel level, at 1.223.560 cubic feet per day.

Having finished his examination of the mountain. Mr. Davies proceeded with a line of levels down the Conemaugh, Kiskiminetas and Allegheny, to Pittsburg, and has furnished the board with a detailed account of all his operations.

The whole length of this route, from the mouth of the Juniata to Pittsburg, is 267 miles and 173 perches. The height of Hob's creek summit, above the first of these points, is 2135 feet, and above Pittsburg, 1702 feet.

In the map and profile which accompanies this report, the Juniata portion has been projected from the notes of the late commissioners.

General Lacock, a member of the board, accompanied Mr. Davies during the greater part of his operations, and his presence is believed to have been highly advantageous.

The board have thus submitted, with the utmost practicable brevity, a sketch of the surveys performed under their direction. For further detail, they must refer to the reports and drafts of the gentlemen employed; which, together with their field notes, are now forwarded, and to the general map and profiles, compiled from those documents, by William Strickland, Esq. a distinguished professional engineer.

It is proper to mention, that no efforts have been spared to insure accuracy in the work. The best instruments were procured, and the board have reason to believe, were skillfully employed. A connexion of levels with those of the late commissioners at the mouth of Juniata, and at Lilly's mill, west of the Allegheny mountain, exhibits a difference of 15 feet in the intervening distance. The same levels were tested by the known elevation of Pittsburg above tide water, and found to correspond within about three feet.

The board take pleasure in expressing entire satisfaction with all the gentlemen by whom these examinations were made. The arduous duty enjoined by their instructions, was performed with such fidelity, intelligence and perseverance, as entitle them to the thanks and confidence of the public.

Upon the facts above referred to, a comparison of routes remains to be attempted.

It appears to be evident that the West Branch and Clearfield routes cannot enter into competition with the other two. The former is longer to Pittsburg, and would be longer to Lake Erie, than the northern route. It cannot be supplied with water at the summit, and as a portage line, it bears no comparison with the Juniata, which is 100 miles shorter. The Clearfield route would be longer and more expensive than either of the others. It has less water and considerably more elevation than the northern route.

The board proceed, therefore, to an examination of the northern and Juniata routes.

It has been stated already, that the streams relied on to feed the summit of the former, yielded an aggregate of 1.770.611 cubic feet per day in the very dry season at which they were measured. The length of the feeders, and of that portion of the canal which they must exclusively supply, not having been ascertained, it is impossible to make an accurate estimate of the leakage and evaporation, but it will be safe to suppose that the loss from these causes cannot exceed half a million cubic feet, in addition to the quantity lost at the imperfect dams which were used at gauging, and to the water furnished by the streams not measured. With this allowance there remains 1.270.611 cubic feet per day for the purposes of navigation. Supposing lock chambers of the size used for the Union Canal, (which is believed to be best) namely, 75 feet long, 8½ wide, and of eight feet lift, this supply will be equal to 249 lockfulls, and at the well known rate of three lockfulls for two boats, will be abundantly sufficient for an uninterrupted water communication. The entire length of this route, from the mouth of Juniata to Pittsburg, is about 353 miles. The elevation of the proposed tunnel above the former point, is 1258 feet, and above the latter, 825, making in all 2083 feet of lockage, requiring 260 locks of eight feet lift. The rate at which a boat, carrying 20 tons, may be drawn by a single horse on a well constructed canal, is from 2½ to 3 miles an hour; and supposing no lockage to intervene, the average distance which a boat would pass over per day, may be fixed at 30 miles. At this rate, the time of transportation on the northern route, between the points abovementioned, would be about 12 days, independent of lockage, which at ten minutes for each lock, is 43 hours, or four days, making the whole passage 16 days. It is not possible, from the imperfect data in the possession of the board, accurately to estimate the cost of this route; still as some such calculation must enter into a decision upon its comparative merits, the opinion of Mr. Strickland, founded upon the best information within his reach, has been obtained. His estimate amounts in the whole to \$4,324,100. The particulars composing this sum, together with the estimates of the other three routes, formed on the same principles, are annexed to this report. They must be regarded only as approximations to the truth, which may answer the purpose of a general comparison.

The ground through which the northern route must pass, so far as it has been examined, presents no serious impediments to the construction of a canal. It may generally be located upon bottom land adjoining the streams, and stone, timber, and other materials of excellent quality may every where be had.

In turning to the Juniata route, the best method of passing the Allegheny mountain presents itself, as the first and most important question. A majority of the late commissioners were of opinion, that a tunnel sunk 754 feet below the summit which they selected, would be at once practicable and effectual.

It must be observed, however, that the streams relied on to feed this tunnel, yielded, when measured by Mr. Davies, only about one half the water which the late commissioners expected to derive from them. The drought of last year was indeed excessive, but the same cause may occur again, and a work of such magnitude, difficulty and expense, as the proposed tunnel, should not be undertaken without a full assurance that when completed it would answer the purpose intended. The board are therefore compelled to say, that there is no certainty of supplying a tunnel with water, unless it be depressed much lower than was contemplated by the late commissioners. The consequent increase of length is an insuperable objection.

The number of locks which must be crowded together at both ends of the tunnel, is in the opinion of the board another serious difficulty. From the Juniata, at the junction of the southwest and Beaver dam branches, to the forks of the south branch of Conemaugh, a direct distance of 17 miles, there would be required, supposing the tunnel completed, no less than 166 locks of 8 feet



lift, to pass which, at ten minutes for each lock, would occupy 27-2-3 hours, or 3 days.

These circumstances, viewed in connexion with the expense of the undertaking, have satisfied the board, that unless a more favorable situation than Blair's, or Bob's creek gap can be found, the idea of a tunnel must be wholly abandoned. This opinion, however, is given with great deference to the former commissioners, whose talents, industry and zeal are entitled to the highest respect.

The hope of accomplishing an unbroken water communication by the Juniata route being thus laid aside, the board have taken into consideration the propriety and probable effects of a portage over the mountain. For this purpose, the pass surveyed by Mr. Davies, must certainly be preferred, as it is lower, and ascends more gradually than Blair's gap.

It has been suggested, that a basin be established at the junction of the southwest and Beaver dam branches of Juniata, capable of holding 100 boats, and provided with the necessary cranes, store-houses, &c.—That a rail road of the best construction be carried along the southwest branch to Black's mill, a distance of 12 miles, with a rise of 277 feet, or at an angle of  $\frac{1}{4}$  of a degree. From this point to the summit of the mountain, is about 5 miles, with a rise of 1276 feet. To overcome this, five inclined planes, separated by short levels, are contemplated. Each inclined plane will have a rise of 255 feet in a mile, forming an angle of  $2\frac{1}{2}$  degrees. Upon each level a brake may be constructed for regulating the motion of the ascending and descending loads. Wherever the brake is used, the railway must be double. In other places it may be single, with sidelings to permit vehicles to pass each other. On the top of the mountain, it is believed, a level may be formed for the distance of a mile. From the summit westward, the descent is gradual to the forks of the south branch of the Conemaugh, being 1000 feet in 11 miles, or less than one degree. At the point last mentioned, a basin is proposed, similar to that east of the mountain. The entire length of the route, from the mouth of Juniata to Pittsburg, will then be about 267 miles, and 173 perches. The distance from the former point to the proposed eastern basin, is 126 miles, with a rise of 582 feet.

The distance from the proposed western basin to Pittsburg, is 113 miles, and the descent 699  $\frac{1}{2}$  feet. The whole lockage, therefore, will be 1281  $\frac{1}{2}$  feet, requiring 560 locks of 8 feet lift. The length of the portage is 28 miles. The time of passing the canal, at 30 miles per day, would be eight days. To pass the locks, would occupy 26-2-3 hours, or nearly three days, and the unloading, re-loading, and crossing the mountain, may be fixed at two days more, making 13 days for the whole passage.

An estimate of the expense of this route, in the mode proposed, framed upon such information as could be obtained, has been made by Mr. Strickland, and is annexed hereto. It amounts to 3,045,900 dollars.

The act of Assembly, from which the board derives its power, refers exclusively to the establishment of a navigable communication between the eastern and western waters of the state. It is evident, therefore, that within the strict limit of their duty, they must recommend the northern route, because that alone affords the means of continued water communication. But it may perhaps be a question, whether the advantages possessed by the Juniata route, with reference to cost and distance, do not counterbalance the inconvenience of a portage. The commissioners have already stated the facts which have come to their knowledge, calculated to throw light on this important point, but much remains to be done before a final decision can safely be formed. Accurate estimates, founded upon examinations by scientific engineers, should first be made, and every circumstance entitled to weight, be distinctly ascertained. All this may be done in the ensuing season,

and it is suggested, that without delaying such legislative measures, as may be necessary for commencing and prosecuting the work, the final decision between the routes be referred to a board of disinterested professional engineers, constituted in such manner as the Legislature may think proper, and acting in conjunction with the commissioners.

The board do not hesitate to say, that the practicability of a communication, by one or other of the routes proposed, which shall answer all valuable and useful purposes, is satisfactorily ascertained, and that the commonwealth may safely determine, not only on its commencement, but on its completion. They therefore recommend, that such steps be taken towards the accomplishment of the whole work, as will insure its active prosecution, as soon as the most eligible route shall have been fixed with certainty.

Before leaving that portion of the report, which has reference to the surveys, it may be proper to mention, that the citizens of Bedford county have caused a canal route to be surveyed, which follows the Raystown branch of Juniata, and crosses the mountain between the head waters of that stream, and of Shade creek, a tributary of Conemaugh. From the report of this survey, it would appear to present many advantages for the location of a canal. The pass at the mountain, is represented to be lower than that of Bob's creek, and it is asserted, that abundance of water might be introduced into a tunnel, of not more than 435 perches.

Although this route has not been accurately surveyed, under the direction of the board—it did not entirely escape their attention. That part, which lies between Shade creek and the town of Bedford, was examined, at their request, by Gen. Lacock, in September last. His report agrees generally with the results of the Bedford survey, except as to the water discharged by Shade creek, which he estimates at from 4 to 4  $\frac{1}{2}$  cubic feet per second, while the measurement in December last, is stated at 18 feet per second.

It may be doubted, whether at the height practicable for a tunnel, the supply of water, would be greater than in the vicinity of Blair's gap.—General Lacock believed it would not; and in conformity with his opinion, the idea of a more accurate survey was abandoned. But if the supply be sufficient, this is probably the best point at which a canal could pass the Allegheny mountain.—The distance would be but nine miles greater than by the Frankstown branch.

Upon the whole, it appears to the board, that this route may deserve a more particular investigation, before the line of the state canal be finally determined on.

In obedience to the injunctions contained in the seventh section of the act of 7th April last, the commissioners have made the inquiries therein directed, and submit the following result:

1. That the establishment and management of a fund, for the execution of the work proposed, must be commensurate with the probable cost, and must be so arranged, as to provide for the necessary expenditure, from time to time, as it may be required, in the most economical and least burthensome manner. For this purpose, considerable authority must be delegated, of a highly confidential character, and it is believed that such authority may best be executed by a commission, composed of the officers of the government. It is therefore respectfully suggested, that such a commission be established, and that the persons composing it, be denominated "The commissioners of the fund for the improvement of the state;" that a fund be established, appropriated exclusively to such works as may be undertaken by the state, and pledged for the payment of the principal and interest of such loans as may be raised; that this fund be composed of such revenue as may be provided for the purpose, and of the tolls which may be received from the work; that the accounts of this fund be kept separate from the other funds and

accounts of the state, and the whole be under the control and management of the said commissioners; that the said commissioners be authorised, from time to time, to borrow such sums as may be necessary for prosecuting the work, not exceeding in any one year

dollars, nor in the whole dollars, at a rate of interest not exceeding per cent., payable quarter yearly, the principal reimbursable at such time, as may be agreed upon with the lenders, not being longer than twenty years; and to issue transferable certificates of such loans; and that the said commissioners be authorised and required from time to time, to pay over such moneys as may be necessary, to those who are intrusted with the execution of the improvement.

2. "The terms upon which loans can be obtained," will of course be liable to some fluctuation. It is not believed that any very serious change is likely to take place, and the credit of the state is so high, as to warrant the opinion, that loans may be had on the most favorable terms.

The commissioners are well assured, that at the present time, the state making an adequate provision in the first place, for the payment of interest, could dispose of a five per cent. stock, of one million dollars, redeemable in not less than 20 years, at a premium of five per cent. That a deferred stock, redeemable in not less than 25 years, the interest to commence at the expiration of five years, at the rate of six per cent. (with respect to which also, they made inquiry) could not be sold at par, or on any terms likely to be satisfactory; and that a stock bearing a less interest than five per cent. could not be sold at par.

5. "To provide for the payment of interest on loans, and the final liquidation of the principal," two sources may be relied upon—a revenue to be raised in such manner as the wisdom of the Legislature may devise, and the income to be received from the work. All experience warrants the belief, that the latter may be calculated upon, after the improvement shall be completed, not only to pay the interest, but also to furnish the means of gradually extinguishing the principal of the debt;—and even during the progress of the undertaking, as parts are finished, some income may be expected from them, applicable to the payment of interest, but to what extent cannot now be estimated.

It might not seem necessary, therefore, to do more than to provide, from time to time, such revenue as the state of the debt and the income may render indispensable. But in the opinion of the board, a better plan of proceeding would be, at once to raise a revenue equal to the interest of the estimated *maximum* of the debt to be contracted, which it is believed could be done without inconvenience. The surplus in each year, beyond what is necessary for the payment of interest, may be applied by the commissioners to the execution of the work. Such application will, to an equal amount, lessen the debt to be contracted, and will so far be the most simple, economical and efficient, sinking fund, as it will be free from all the charges and disadvantages of the operation usually called by that name. It will have the effect also of enabling the state, at all times, to borrow upon the best terms, an advantage which can in no way be so perfectly secured, as by a previous, ample, and easily understood provision for the payment of interest.

The revenue thus raised after the completion of the improvement, will be sufficient, together with the tolls to insure the rapid extinguishment of the debt, or to enable the state to accomplish other great public objects. All which is respectfully submitted.

By order of the Board,

JOHN SERGEANT, *President.*

Attest,  
JOS. MELVAIN, *Secretary.*  
*Philadelphia, Feby. 3, 1826.*

# REMARKS ON THE LEGAL PROVISIONS FOR EDUCATION, IN PENNSYLVANIA.

Remarks on the Provisions made by Law, for the support of Education in Pennsylvania, from the first settlement of the Province in 1682, to the year 1826.—  
By *Walker R. Johnson.*

*From the United States Literary Gazette, for May 1826.*

That the founder and proprietary of Pennsylvania was not, as some seem to suppose, insensible to the advantages of general education, we may be satisfied by a recurrence to the preamble to his "Frame of Government," promulgated about the time of his arrival with the colony. In this, he declares, "that which makes a good constitution must keep it,—namely men of wisdom and virtue,—qualities, that, because they descend not with worldly inheritance, must be carefully propagated by a virtuous education of youth." In the body of the "Frame," it was expressly provided, that "the governor and provincial council shall erect and order all public schools." With this injunction he conscientiously complied, by incorporating, in 1697, a body politic, under the name of "the Overseers of the Schools"—a body, composed, as might have been expected, principally of persons of his own religious persuasion, whose number was limited to fifteen, and whose authority extended to the various schools within the city and suburbs of Philadelphia,—and those were probably all, that at so early a period, could be deemed worthy of the attention of the government. This corporation has, we believe, existed from the date abovementioned, until the original charter, with the same organization, and through a succession of persons of the same religious persuasion, to the present time. The overseers have at this time, the superintendence of twelve or thirteen schools. Of these, the classical establishment in Fourth street has always been conspicuous for the merits of its teachers, and for diffusing among the society a liberal share of learning, of science, and of refinement.

The facts just stated go far to exonerate the benevolent "Miquon" and his followers from the charge of hostility to the cause of good learning. If any one still doubt, whether their discarding the notion, that great learning is essential to the success and usefulness of a religious teacher, do not amount to a renunciation of learning in general, let him examine the lists of distinguished members of the learned professions, literary and scientific societies, and institutions of education, within their "beautiful city;" or let him visit the private dwellings of the respectable "Friends" in any of the older counties in Pennsylvania, and examine their libraries.

If the character and views of the proprietary were truly represented in his "Frame of Government," above quoted, and if the same denomination of persons had continued to constitute a majority of the population, and of the councils of the state, the governor and provincial council might have been very proper depositories for the important trust of popular education. But what was a very discreet arrangement, while the enlightened Penn himself filled the office of chief magistrate, proved to be a very inauspicious one, under many of his successors. Such men as John Evans, Charles Gookin, and George Thomas, who, in the capacity of lieutenant-governors, represented, at different times, the principal proprietaries of Pennsylvania, found too much of their time occupied in managing their contests with the provincial assembly, and in proving their loyalty by opposing public sentiment, to allow any great share of attention to be bestowed upon the true interests of the people. Education, therefore, among many other primary concerns of a free government, seems to have been without a guardian, except within the limited jurisdiction of the corporation before mentioned. The records of legislative proceedings, during the long period from the settlement of the province to the revolution, will be searched in vain, for any evidence of even a disposition

to legislate, directly upon the subject. By a diligent examination of those documents, we have found but four acts, which even incidentally involve the subject. Two of these are private laws, granting to particular churches, the right of raising by lottery, small sums of money, to be employed in building school-houses. The others, which were passed in 1712 and in 1730 respectively provide that "all religious societies of protestants, within the province, shall be allowed to purchase lands and tenements for burying grounds, and for erecting houses of religious worship, *schools*, and hospitals."—Slight as the influence of these laws, which seem to tolerate, rather than encourage education, must have been upon the progress of intelligence; yet we apprehend, they have tended, in no small degree to prevent the establishment of a more general system of education throughout the state. For, besides the particular schools attached to many of the separate societies, several denominations have larger establishments, to which youth of the same sect resort for instruction. As examples of the latter kind we mention the Friends' School at Weston, and the Academy of the Episcopal Church in Philadelphia. These partial sectarian establishments satisfy the demands of a portion of the community, and render them indifferent or averse to a system founded on an equal distribution of the benefits and expenses of education.

But in addition to the injudicious assignment of the superintendence of public schools exclusively to the governor and council, and the subsequent practice of religious societies in confining their exertions for education to youth of their own persuasion, it may be suggested, that the constant influx of foreigners, differing widely from each other in language, habits, manners, and, above all, in their ideas respecting the importance of education, must have opposed no slight obstacle to any general, concerted efforts for the diffusion of intellectual light, and of the consequent habits of chastened social order. Thus the revolution found Pennsylvania, as it found many other states in the confederacy, destitute of any general system of instruction, and with no small portion of her population in the most abject state of ignorance. We speak now with reference to that part of her population, which it behoves every wise legislature to furnish with means and inducements for improvement,—the yeomanry, and all the middling and poorer classes, both in town and country. An institution had been founded by private subscription in 1749, and chartered, and moderately endowed by the proprietaries in 1755, under the name of the "College, Academy, and Charitable School of Philadelphia." But an institution of this kind could do little towards supplying the deficiency of common schools.

The first constitution of the state was adopted about 3 months after the declaration of independence, a period of alarm and peril, in which, it would seem, that self-preservation must have absorbed all other concerns; yet the convention which formed it, contained among its members such men as Benjamin Franklin and David Rittenhouse, and could, therefore, hardly fail of having its attention directed to the important subject of legal provision for public instruction. Accordingly, we find in the "plan or frame of government," then adopted, an article, requiring that "a school, or schools, shall be established in each county by the legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct youth at low prices;" and further, "that all useful learning shall be duly encouraged and promoted in one or more universities." The latter of these injunctions was first obeyed. In 1779, the legislature passed a law to confirm the estates and interests of the College, Academy, and Charitable School of Philadelphia, and to amend and alter the charter conformable to the revolution, and to the constitution and government of the State. In the year following it was erected into an university. These proceedings were in consequence of a

recommendation from the executive council, who asserted, that a general neglect of the great duty of education was observed both in town and country, while the growing attention of other states invited the youth from Pennsylvania, and produced effects "equally repugnant to public benefit and private convenience." The alteration of the charter of the college, in opposition to the wishes, and in defiance of the remonstrances of the trustees and governors of the institution, was not a very auspicious commencement of legislative patronage. But it arose from a belief, that an undue pre-eminence was given to some religious societies, to the prejudice of others, and from a requisition in the original charter, which allied it too closely to the government of Britain, by making the allegiance of its governors to that state, a pre-requisite to any official act. The effect of a narrow, exclusive spirit, which would confine the advantages of a seat of learning to particular sects, seems to have been viewed in a just light by the council, and was deprecated in language, which we think cannot be too often repeated at the present day: "For us, it is sufficient to observe that as learning or science are of no party or sect, we wish to see them promoted on the most liberal principles, giving to every denomination equal rights and privileges." We refer to these proceedings in relation to the University of Pennsylvania, as furnishing a precedent, by which the legislature appears to have been guided, in the acts of incorporation of many of the seminaries established at later periods. For they have guarded them against the evil in question, by providing in the charters, that no particular religious opinions shall operate to exclude any individual, either as trustee, instructor or student, from the benefits of the respective institutions.

From the period of which we have been speaking, to the adoption of the present constitution in 1790, little more than ten years, two new colleges and six academies were founded. For the incorporating, altering, or aiding of these, including what was done for the university, no less than twenty different laws were enacted.—One feeble effort only seems to have been made during the same period, to comply with the first injunction of the constitution above cited. In 1786, a grant of ten thousand acres of land was made to Dickinson College, and the same act which conferred the donation, set apart sixty thousand acres to be appropriated to the purpose of supporting schools throughout the state.—Whether this land has ever been surveyed and "located," or not, we are unable to say, as we have observed no reference to it, in any of the numerous laws passed since that time. One thing, however, is certain,—that the cause of general education, in common schools, has never been in the least promoted by the appropriation.

But though all the patronage of the State was bestowed upon collegiate institutions and academies, an attempt was made to prevent them from becoming nurseries of aristocracy, by making the boards of trustees so numerous, as to constitute a kind of popular assemblies. Thus, the Episcopal Academy was furnished with a board of sixteen members; Germantown and Washington, each with twenty-one; the University with twenty-five; Reading Academy with twenty-nine; Dickinson College with forty-one; and Franklin College with forty-five! Most of the members of these multitudinous boards of trustees were, of necessity, persons who had little or no experience in the concerns of seminaries of learning. Their notions were, of course, crude, visionary, and often contradictory; so that if they did not effectually *prevent*, they certainly did not *promote* the success of the institutions committed to their charge.—Where responsibility is much divided, duty is often wholly neglected. In short, had the legislature been determined to thwart the purposes, retard the progress, and ruin the prospects of these institutions, we can conceive of no expedient more happy for accomplishing their design.

In the convention which amended the constitution in

1790, the clause respecting education, was, at the suggestion of Timothy Pickering, who was a member of that body, altered, with a view to insure the extension of the blessings of knowledge to every member of the community. It requires that "the legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such a manner that the poor may be taught gratis;" and that "the arts and sciences shall be promoted in one or more seminaries of learning." This clause, we are confident, was never intended to be made the foundation of laws for the education of the poor as a *distinct class*, and, least of all, did it look to their being taught in separate establishments. It doubtless contemplated that system of "schools throughout the state," with which Col. Pickering had been familiar from his youth, and which, for a century before he was born, had been spreading its benign influence over the social condition of New-England.

But though this was obviously the intention of the authors of the clause, it has received, until very lately, an entirely different interpretation at Harrisburg. Nothing was done in obedience to this article of the constitution, so far as it relates to common schools, until 1809, when an act was passed "for the education of the poor gratis." It required a report to be made by the assessors of the townships, wards, and boroughs, to the commissioners of the respective counties, of all children within certain ages, whose parents were unable to provide for their education. When the lists were approved by the commissioners, it was notified to the parents of such children, that they might send them to "the most convenient school," and the expense of their tuition was defrayed out of the county treasury. The defects of this law were so numerous, and opened so wide a door for deception and cupidity, that a modification, so far as it applied to the cities, became indispensable. This will appear evident, when it is recollected, that for the tuition of only 1828 poor children, for about 8 months, in the year 1811, the city and county of Philadelphia paid no less than 12,124 dollars. Extravagant as this sum may appear, it would not have been so enormous, had the youth, on whose account it was paid, been faithfully, or even tolerably instructed. But in that, as well as in other parts of the State, there was often a gross neglect of duty on the part of instructors, towards the poor children entered on their lists, and a still greater indifference among parents, to the acceptance of this public dole of knowledge, thus ungraciously held out to their offspring.

From the adoption of the constitution to the passage of this *poor law*, the legislature had passed no less than thirty-five acts for the benefit of higher institutions. *One college and nine new academies* had been established, most of which were 'endowed' with sums varying from five hundred to a thousand dollars each, and in return for this liberality, were required to educate each a certain number of poor children *gratis*.

The idea of making the boards of trustees popular assemblies, appears to have been abandoned, and more rational numbers assigned, than those which had been imposed upon the earlier corporations. Five, seven, or nine persons had, before 1811, begun to be considered fully competent to manage concerns, exactly similar to those, which, in 1785-6, had been cautiously committed to bands, whose ranks might have formed no indifferent military cordon, around their whole jurisdiction.

Other features were, however, introduced into the organization of these new establishments, no less detrimental to their success. The trustees were, in many instances, to be chosen by the electors of the county, and a certain proportion were to vacate their seats every year, to make room for new candidates. This practice, applied to literary institutions, is 'rotation in office' with a vengeance. It is not wonderful, that men, who held their seats by so feeble a tenure, as that which kept popular favorites in place, during the political tornadoes

fifteen years ago, should feel but little security in proposing measures for the welfare of the institutions over which their precarious authority extended; still less could persons, disposed to encourage seats of learning, by donations or otherwise, feel any confidence that their benefactions would be duly applied. Private patronage was accordingly withheld. Hence, most of these 'endowed' establishments drooped in poverty and insignificance, and instead of being able to afford gratuitous assistance to poor children, they soon became themselves the mendicant children of the state. By a reference to the journals of the assembly for the present year, (1826) it will be seen, that many of them still remain in the condition of sturdy petitioners, and that to some of the most importunate, a scanty pittance is, from time to time, doled out by their constitutional guardians,—the representatives of one of the richest millions of freemen on the globe.

The burden imposed upon the city of Philadelphia by the law of 1809, led to an alteration in 1812, by which the county commissioners were required to fix upon, and agree with those teachers, to whom poor children within the city and its environs were to be committed. Still, large sums of money were expended, and but little knowledge diffused. In 1818, however, the city and county were erected into a district, called "the First School District of Pennsylvania." It is divided into 8 sections, and its concerns committed to eighty one directors, of whom those belonging to the city and liberties are appointed by the municipal authorities, and those appertaining to the country sections by the court of Quarter Sessions. These directors elect from among themselves a select body, called the controllers, whose number is to be one sixth of that of the directors themselves. The controllers have power to erect houses, provide books, and make rules for the government of the schools; and to establish a *model school* to qualify teachers for the other schools of the same class. They are required to publish annually a statement of their accounts, and the number of children educated under their care.

The controllers are confined to the Lancasterian plan of instruction in all their establishments within the incorporated districts. Of these, they have nine under their charge, with an aggregate of 3,507 children, of both sexes, who, as we are informed by their reports, are taught the alphabet, spelling, writing, reading, & arithmetic, and in some of the schools, grammar and geography. Needlework, plaiting of straw, and other branches of industry, form a part of the instruction of the girls.

As to the expense of this system, compared with that of the unsystematic management of 1809, the balance is greatly in favor of the present mode of educating the poor. The nine schools of mutual instruction, with their 3,507 scholars, cost, during the year 1825, only 11,500 dollars, whereas the same number of pupils in 1811, on the plan then in operation, would have cost no less than 34,900 dollars. In speaking of the effect of the present system, the controllers observe:

"The experience of each successive year confirms the opinion often proclaimed, concerning the utility of the Lancasterian method of instruction; and the controllers have only to lament that the number of pupils is not equal to the liberal opportunities furnished for their education."

If we mistake not, every report which the controllers have yet made, has contained some similar lamentation about the indifference of the poor, both parents and children, to these 'liberal opportunities.' We entertain the highest opinion of the public spirit and intelligence of Mr. Vaux and the gentlemen associated with him in this work of benevolence; and as we are sure that their sagacity must penetrate the true cause of this reluctance on the part of the *poor*, so we feel confident, that their candor and patriotism will ere long impel them to expose the evil, and suggest the remedy.

In 1822, the city and incorporated boroughs of Lancaster county, were erected into 'the Second School District;' with powers, privileges and duties similar to those just described. Two or three other counties likewise obtained modifications of the law of 1809, so far as the same applied to themselves. But local and partial legislation could not satisfy the demand of the times. Ignorance still abounded. The march of improvement in other states was fast leaving Pennsylvania in the back ground as to every thing that commands respect in the intellectual character of a community. The richest and poorest classes were in some sort provided for, but multitudes who could not be ranked among the former, and would not be placed in the latter denomination, were almost or altogether without the means of mental improvement.—None of the effects of such a system as was contemplated by the constitution were yet visible. It was perceived, that the plan of erecting separate schools for the poor, adopted in Philadelphia and Lancaster, might answer indifferently well, where the poor were numerous enough to form large classes, and keep each other in countenance, while they accepted the public bounty: but that the same plan would not prosper in the country, where but few could be embodied, and those few preferred ignorance to the humiliation of being set apart and distinguished as a corps of paupers. Exertions were therefore made by those who saw the necessities of the State, to supply her deficiencies, by laying the foundation of such a system as should not only comply with the letter and spirit of the constitution, and with the practice of other states, but also in some degree with the demands of the age and of the national character.—With these ends in view, the legislature, in 1824, passed a law, providing that every township should elect three suitable persons, to be called 'schoolmen,' who should superintend the education of the poor children within their townships, and 'cause them to be instructed and treated as other children are treated.' This last injunction, we think, it must have puzzled even the 'schoolmen,' with all their ingenuity, to obey, so long as the difference of treatment was founded on a distinction created by the public authority.

This law was applicable to the whole State, with the exception of the two school districts before named. The funds for defraying the expenses of educating the poor were still drawn from the county treasury, and paid under the authority of the schoolmen to the teachers whom they might approve, for instructing the indigent students. But when any township voted to accept the further provisions of this law, it authorized the schoolmen to fulfil the directions of those provisions; which were to divide the township into school districts, and to erect and establish schools at the public expense, to which all children belonging to the district might be sent for *three years*, at any time between the age of 6 and 14. Under these provisions, also, the monies raised for the purposes of education, were assessed by the schoolmen, and applied under their sole direction, they examined the teachers, and had a general supervision and control over the schools in their respective townships and boroughs.

In speaking of this law, we use the past tense, for it is no longer in existence. While penning these remarks, we are informed, that the legislature at Harrisburg have, in their wisdom, unconditionally repealed the whole law.

Thus that famed matron, wife t' Ulysses,  
Each night, each day's work picked in pieces.

We think the 'glorious uncertainty of the law,' was never more unfortunately exemplified. But in this case the legislature has not acted without precedent. The University of Pennsylvania passed through the hands of their predecessors, first, from the state of a *royal*, to that of a *constitutional* college; next to an university; then back to its chrysalis state, of 'College, Academy, and Charitable School;' and, finally, to the form of an university once more.

The exertions made in some of the counties to obtain the repeal of the law of 1824, gave rise to the publication of a series of essays in a weekly journal [the Bucks County Patriot] in favor of its continuance. These essays have since been collected into a pamphlet, which contains some very just and original remarks, and cogent reasonings in favor of common schools. But it is principally occupied with the details of a report, made some time before, to the legislature of Kentucky, by commissioners appointed for that purpose. The author labours, by his quotations and reflections, to establish two points, which, we think, require no proof.

1st. That the education of the laboring class is in the highest degree desirable.

2d. That for the promotion and attainment of this important object, the system of common schools for the gratuitous instruction of all classes, is the cheapest, the most efficient, the least objectionable, and the most congenial to our free institutions.

So far, however, are these self-evident truths from being received in Pennsylvania, that she soon destroyed the only practical acknowledgment which she has ever made of their justness and utility. The last mentioned law was abolished in 1826, and that of 1809, with all its objectionable features was revived by the same act which repealed the statute of 1824. The colleges and academies however, are annually multiplying; and these, so far as they produce any visible effect, are only increasing the distance between the different ranks of society,—a distance, which, if we understand their character, Pennsylvanians ought to be the last to approve.—Since 1809, the number of academies has been increased from fifteen to *fifty*,—of the colleges from three to six\*, and a second university has been added. The number of laws passed since the revolution, including those which have made and unmade systems, which have aided or encumbered seminaries, and which have created or annihilated 'bodies corporate forever,' is no less than *one hundred and fifty four*. Now supposing, what seems a very moderate calculation, that each law occupied in its various stages one entire day of the time of both houses, and that the number and pay of members were the same as at present, then the enactment of these laws alone, without taking into account the sums voted away by them, must have cost the state more than *sixty thousand dollars*. The whole amount of appropriations for education in colleges and academies, since the foundation of the government, is about 150,000 dollars. And yet, if we except the medical department of the University (which, in truth, has no connexion with general education), there is not a seminary in the State, to be compared to even the second rate institutions in other parts of the Union. Had one tenth part of the money which has passed into the pockets of legislators for making partial, local, inefficient enactments, been expended forty years ago in maturing a well digested system of common schools, and of higher institutions, Pennsylvania might have spared herself the dis-

\*The dates of incorporation of the several colleges and universities are as follows:

The University of Pennsylvania, first chartered in 1753—erected into a university, March 16, 1780; Dickinson College at Carlisle, incorporated September 9, 1783; Franklin College at Lancaster, March 10, 1787; Washington College at Washington, 1787; Jefferson College at Canonsburg, January 15, 1802; Allegheny College at Meadville, March 25, 1817; Western University at Allegheny near Pittsburgh, February 18, 1819; Lafayette Military College at Easton, March, 1826. This last institution embraces among other objects, instruction in military tactics and civil engineering.

N. B. Since these remarks were first published another College has been added to the above list, viz. Madison College at Uniontown, incorporated March 7, 1827. A department of Agriculture is among the objects of this institution.

grace of containing many thousands of persons, who are annually called upon to exercise the rights of citizens, in voting by ballot, who can neither write a ballot, read it when written, nor even read their own names, whether written or printed. These are considerations which belong, it is true, principally to Pennsylvania; yet, as *Americans*, we cannot but feel a portion of that reproach, which so glaring a neglect of the duty of freemen must cast upon every member of the republic. We must confess, that there seems so manifest a disproportion between the immense resources of Pennsylvania, and the trifling extent to which they are employed for developing the intellectual character of her citizens, that we cannot but regard the neglect of this subject, as a signal contempt of the bounties of nature and of Providence.

We cannot more appropriately close these remarks, than in the language of the pamphlet above cited.

"The greater conformity to republican principles and institutions in the system [of common schools] now advocated, has been frequently referred to, in its happy effects upon all classes; especially in rescuing those particularly to be benefitted, from the degradation of being considered and treated as an inferior class. It cannot fail to strike the observant and intelligent statesman, that one of the pleasing results of the system would be to place all classes more upon the desirable footing of greater equality, and to diminish the combination of rudeness, servility, and indolence, sometimes observed in the poorer classes, whilst it would equally tend to check the pride, the arrogance, and the assumption of superiority too often found in union with wealth. There cannot be conceived a more efficient mode of equalizing the gifts of fortune, than that of improving the minds of the less fortunate; nor one better calculated to compensate for their qualities, which under the most equal system of laws, will, in consequence of a variety of circumstances, be found to prevail."

NOTE. It is believed that the subject, to which the foregoing remarks relate, is about to engage anew the attention of the public, and it is but just to conclude that a reference to what has already been done, will be both seasonable and useful. The cause of intellectual improvement is certainly advancing in our towns and cities. Education, in all its departments, is calling to its aid talents of the best order, and while some men of narrow minds, affect to condemn the profession of teachers, and some of our journals, and other periodical publications, practically neglect all notice of works in this department, it is easy to perceive that the public voice, which must, and will be eventually heard, is calling for a thorough reformation in the present state of things.

#### ANNIVERSARY OF THE ATTACK ON RED BANK.

October 22d, A.D. 1777.

Yesterday (Oct. 22) about 9 o'clock, A. M. the following uniform volunteer companies left Philadelphia for Red Bank, viz:—Penn Township Guards, Capt. Bartle; Independent Volunteers, Capt. Hiscox; Washington Fencibles, Lieut. Commanding Oliver; Union Guards, Capt. Straddleman; Pennsylvania Rifle Rangers, Capt. Snyder; Manyunk Invincible Rifle Company, Capt. McCormick; the Hibernian Greens, Capt. Camac, with a detachment of Artillery and a Field piece. The first detachment under the command of Capt. Hiscox which, in the contemplated sham-fight, at Red Bank, was to constitute the American forces, went in one steam boat, and the second detachment under the command of Capt. Bartle, constituting the British and Hessians, went in another steam boat. The American detachment had scarcely landed and made their arrangements when the enemy hove in sight. There was a spirited resistance to their landing from the Riflemen and Artillery, but they were soon, together with the out posts driven in,

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and retreated on the main body, when a smart action commenced. The firing, by the Infantry, by platoons and in line, was well kept up, and the attack and resistance of the Rifle corps and their bush fighting was carried on with activity and spirit. Twice the piece of artillery was taken and retaken, and at length the American forces were victorious.

The whole of the troops under Col. Bartle went thro' some very beautiful evolutions, which were performed with considerable precision. At noon Major General Cadwalader, accompanied by his aids, reviewed the troops. The day was remarkably fine, clear and unclouded, and the volunteers marched and displayed to great advantage. General Cadwalader was pleased to express to the Colonel Commanding, his high approbation of the appearance and discipline of the volunteers.

The Parade Review being over, the whole of the troops took up the line of march to Fort Mercer, into which the Hessians had rushed in 1777. The whole of the troops—General Cadwalader and other Field Officers and many citizens in the centre—were formed into a circle, when an appropriate ORATION was energetically delivered by Lieut. JOHN P. BIRKS, who had been appointed to the discharge of that duty. The Military then filed off and passed round the Monument of handsome Grey Marble which had been erected, and on which are the following inscriptions.

#### THIS MONUMENT

was erected on the 22 October 1829

To transmit to posterity, a grateful remembrance of the Patriotism and Gallantry of

Lieut. Com. Christopher Green, who, with 400 men, conquered the Hessian Army of 2000 troops, then in the British service, at the Red Bank, on the 22d October, 1777.

Among the wounded was found their commander, Count DORP, who died of his wounds, and whose body is interred near the spot where he fell.

A number of the  
New Jersey and Pennsylvania  
Volunteers

Being desirous to perpetuate the memory of the distinguished Officers and Soldiers, who fought and bled in the Glorious Struggle for American Independence,

HAVE

Erected this Monument on the 22 day of October,  
Anno Domini 1829.

[Dem. Press.]

#### STATEMENT OF MILITIA FINES—1827.

Statement showing the amount of fines assessed upon the militia of this commonwealth; the amount of exonerations; the amount of fines collected, and expenses on the collection; the amount of exempt fines paid into the state treasury; the annual receipts at the treasury from militia fines, and payments for militia purposes, under the act of 2d April, 1822.

|   |              |
|---|--------------|
| Fines for the year 1822, 3, 4 & 5,                              | 122,066 70   |
| Exonerations during the same period,                            | 62,938 07    |
| Fines unremitted and charged to brigade inspectors,             | \$ 59,128 63 |
| Per centage on the collection of \$ 58,674 93, at 10 per cent.  | 5,867 40     |
| Ditto, on \$ 453 80, at 20 per cent.                            | 90 76        |
|   | \$ 5,958 16  |
| Exempt fines paid into the state treasury by county treasurers, | 862 76       |
| Annual receipts at the treasury for militia fines, 1822,        | none         |



|   |           |               |
|---|-----------|---------------|
| 1823,   | none      |               |
| 1824,   | 185 85    |               |
| 1823,   | 487 00    |               |
| 1826,   | 4,250 42  |               |
|   |           | \$ 4,923 27   |
| Annual payments at the treasury for militia purposes, |           |               |
| 1822,   | 20,987 80 |               |
| 1823,   | 34 078 19 |               |
| 1824,   | 29,756 86 |               |
| 1825,   | 21,719 01 |               |
| 1826,   | 10,967 04 |               |
|   |           | \$ 117,508 90 |

#### COMMEMORATION OF THE LANDING OF WILLIAM PENN.

The 147th Anniversary of the landing of the illustrious **FOUNDER** of this Commonwealth, was celebrated on Saturday last, by the Society established for the purpose of commemorating that memorable event. The recurrence of the anniversary furnishes a suitable occasion for giving renewed emphasis and currency to the principles of the Founder, and for fostering a spirit of harmony and mutual attachment among the citizens of this State, founded upon the recollections of enlightened and virtuous ancestors, and cemented by a sense of mutual interests. The cordiality and zeal manifested on this occasion, proved that there was no decline in the interest felt in the subject, and no abatement of veneration for the memory of the Founder, upon whose character the lapse of time seems to shed additional lustre.

At 5 o'clock, P. M. the members of the Society, with some invited guests, sat down to a sumptuous dinner, at the Mansion House Hotel, **JOSEPH PARKER NORRIS, Esq.** the President of the Society, was in the Chair, and **PETER STEPHEN DUPONCEAU, Esq.** officiated as Vice President.

After the cloth was removed, the following toasts were pronounced:—

1. *The day we celebrate*—Fruitful of blessings to ourselves and our posterity.

After the delivery of this toast, the following Ode, written for the occasion, was read by the author:—

#### ODE.

By Charles West Thomson.

Pledge we the days of yore,  
When first our fathers came  
To raise upon this peaceful shore  
Our infant empire's frame—  
Amid the wilderness to lay  
The glory of a future day.  
They were a hardy band  
Of sage and righteous men—  
Who left their own—their father-land—  
Their native rock and glen—  
Among the woods and wilds to find  
A home for liberty of mind.  
They found it on the shore  
Of this our native river—  
O that the spirits which they bore  
Might flourish here forever!  
The spirits that held war in thrall,  
And breathed good will and peace to all.  
They came, from all the heart  
Accounts most truly dear;  
They tore the fondest ties apart,  
They stanch'd the bursting tear—  
They followed virtue's call afar,  
And made their God their guiding star.  
They came, and found a wild  
Where Nature dwelt alone,  
Where Freedom in her beauty smiled  
Upon her mountain throne—

Rearing her glorious temple high—  
Its walls the woods—its roof the sky.  
Their influence spread around  
O'er all the smiling scene—  
Peace reigned—and not a warlike sound  
Disturbed the calm serene—  
And soon amid this still repose  
The wild-wood blossomed like the rose.  
Arts then began to rise—  
And simple mansions stood,  
Curling their smoke-wreaths to the skies  
Amid the embowering wood.—  
The Indian natives loved to roam  
Around the white man's peaceful home.  
Where are our fathers now?  
They sleep beneath the sod—  
The woodman's hand has levelled low  
The forest where they trod—  
Its pride has gone—and in its stead  
A noble city lifts her head.  
The happy fruit we reap,  
For which their labour paid—  
Oh may they rest in honoured sleep  
Where'er their bones are laid—  
Their virtues far surpass our praise,  
Our saint-like sires of former days.  
Pledge we those days of yore,  
When first our fathers came—  
And gathered on this rugged shore  
Imperishable fame—  
They claimed their birth-right—to be free;  
Their watchword—"God and LIBERTY."  
Time may uproot the wood—  
May tear the warrior's page,—  
The "unarmed conqueror" has stood  
Unshaken by his rage—  
He'll quench the light of mighty men—  
But halo still the name of PENN!

2. The memory of our illustrious Founder and Law-giver, **WILLIAM PENN.**

3. The memory of **WASHINGTON.**

5. The Successors of William Penn in the Executive Office of Pennsylvania, and may those by whom it is to be filled, never forget the principles of the Founder.

The following Ode, written for the occasion, was here read by the author:—

#### ODE.

By Richard Penn Smith, Esq.

Let poets sing the Victor's praise,  
And time, until his latest days,  
The echo of the strain prolong.  
Let Fame the bloody page record;  
The human sacrifice applaud,  
"And nations deify the sword,"  
Far other thoughts demand my song.

O! what was he of Zama's plain,  
Or they who piled the countless slain  
At Marathon—Thermopylae!  
To him for whom our strains ascend,  
Who taught the savage knee to bend;  
Who made the savage foe his friend,  
And gained a bloodless victory.

The Victor's laurel wreath must fade;  
The sceptre in the dust be laid;  
The proudest works of man consume.  
Obedient to the voice of God,  
Together in their last abode,  
The beggar and the prince corude—  
Virtue alone defies the tomb.

Then sing his praise whose copious plan,  
Confessed the work of God in man,

And from Tax Book his precepts drew;  
At whose approach the forest smiled;  
A brother found in nature's child  
His brother's breast of fear beguiled,  
'Till strong the bond of friendship grew.

Let others sing the warrior's deed,  
Who lives to make a nation bleed  
Then meteor-like from earth depart;  
My humble muse I consecrate  
To him who raised—not crushed a state;  
Whose victories were countless—great!—  
For lo! he conquered every heart.

Then never be his name forgot  
And verdant be that hallowed spot,  
Beneath the ancient Elm tree's shade,  
Where erst the lesson was imbibed  
Of faith unbroken—virtue tried;  
And now upon the stone inscribed,  
Revered and classic ground has made.

6. *The Great Law*—A monument of the wisdom and virtue of our primitive Lawgivers.

7. The memory of our Swedish predecessors in this land.

8. The scattered remnants of the *Lenni Lenapi*; and may the recollection of their "unbroken faith" preserve them from the encroachments of our race.

9. The native land of our pilgrim ancestors.

10. Pennsylvanians: Union and harmony from the Delaware to Lake Erie.

The following Ode, written for the occasion, was here read by the author—

ON THE LANDING OF WILLIAM PENN.

By Dr. B. H. Coates.

"Mx, perhaps, in future ages,  
Life's fatiguing tumult gone,  
Mix'd with ancient chiefs and sages,  
Men shall carve in breathing stone,

"What, alas! is future glory  
To the earth-committed head?  
What avails a pompous story  
Vainly boasted o'er the dead?

"To you realms of woodland beauty  
Be a better guidance mine.  
Love of man, the Christian's duty,  
Make the task indeed divine."

Thus from solemn meditation,  
Penn his lofty motive draws,  
Sail'd to many a savage nation,  
And established peace and laws.

Him posterity rewarded  
With a proud and envied fame,  
And o'er warlike chiefs recorded  
His august and honoured name.

Such the stern and calm emotion  
Which conducts to true renown—  
Such the souls that, o'er the ocean,  
Sought their future State and Town.

Long remembered be their stations  
In th' historic roll arrayed.  
Other chiefs have conquered nations;  
But our sires have nations made.

Their's the lesson, taught to mortal,  
In these late and wiser days—  
Truth and Justice are the portals,  
To a bright and lasting praise.

Well they knew the powers that raise them,  
Conquered glory's weaker fires—  
God approves and man shall praise them—  
Such was Virtue—such your sires!

The following toasts were then given:

By the Hon. J. S. JOHNSON, Senator from Louisiana,  
—"The illustrious Founder and Lawgiver, who enjoys the singular glory of giving his name to his country.—Let us give honour to the Great and Good."

The Hon. E. LIVINGSTON, Senator from Louisiana, being called on for a toast, said

In the state of Pennsylvania, and in the midst of a Society instituted to commemorate the virtues of its founder, nothing can be thought, and no sentiment expressed, that is not connected with the history and character of that extraordinary man; who, whether considered as the venerated founder of a new State, a wise legislator, or benevolent philanthropist, is equally entitled to our admiration and respect. He did not, indeed, like the Phœnician, invent letters, but like him, he brought them to a country where they were unknown, and with a provident foresight he directed their diffusion through his infant colony, as the basis of its liberty and lasting happiness. Like him, he buried deep in the earth the fangs of the dragon of war, and they sprung up, not like the fabled harvest of Cadmus, in troops of armed warriors, but in a populous nation of industrious husbandmen, ingenious mechanics, enterprising merchants, scientific philosophers, and sage practical statesmen. If it were consistent with the views of Divine Providence to permit him to return, or from whence he is, to look down, what intense happiness must it give to a spirit like his to see how permanent have been his institutions, and how happily they were calculated to promote the growth of his favorite establishment. To see commerce, with the aid of a new element, impressed into its service, extending itself from the Ocean, (its legitimate domain,) to every navigable stream, and struggling with the impediments interposed by nature, giving them that character to their very source, crossing the highest mountains, or forcing a passage for its canals through their base; and uniting, in a bond of common interest, the most remote districts, and most discordant pursuits. To see science extending its light to every mind, competence and domestic happiness to every fireside, and love of country to every heart.—Well might he exclaim, when he first visited this favored spot, the scene of all this future improvement and felicity—"I feel as if I were now sowing the seeds of a great Empire." He did sow them, and they have bro't forth abundantly. The seeds were religious equality, justice, education, wise and humane laws; and the fruits have been liberty, wealth, science, commerce, and unexampled public and private prosperity. My toast is, Long may they continue! and long may the successors of William Penn, in his government, be guided by the great principles that produced, and alone can preserve these blessings.

Mr. SKEGENT, on rising to propose a toast, remarked,

That he would endeavour to obtain the sanction of the occasion and the company for the expression of a feeling which he hoped would soon become earnest and general in Pennsylvania. He thought that an opportunity to suggest or to enforce what was useful ought never to be lost. A good seed, even though thrown upon the ground without preparation, might perhaps vegetate; and if it should not, still, the effort, humble as it was, would be some evidence of a good intention. At the annual celebration by this Society, some four or five years ago, he had the honour to offer a sentiment, the terms of which he could not now repeat, though he well remembered the substance. The import of it was to express a hope, that the time would soon come, when every farmer in this Commonwealth would have a good road to market; and every child a good road to school.

One part of this wish, in its most extensive meaning, he was happy to say, was likely to be gratified, quite as soon, as the most ardent friends of internal improvement could have anticipated. The work, it is true, was not yet accomplished; but it was fast approaching

its accomplishment. So much had been done, and things were in such a train, as to ensure the rapid development of the riches of Pennsylvania, and to secure to her, in this respect, a strength and standing commensurate with her great natural advantages. Her career, in this direction, was brilliant and honourable. It was felt to be so, with becoming pride, by every citizen of Pennsylvania capable of rightly estimating the interest he has in the character of the State.

Of the other part, that which related to education, he was sorry to be obliged to acknowledge, that he could not say as much. His attention had been forcibly, and he must add, painfully drawn to this subject, by a tabular statement he had lately seen published, showing the number of persons of each State in the Union who are receiving a liberal education, and the proportion they bear in the respective States, to the whole numbers of the people. He would have rejoiced sincerely to have found Pennsylvania at the very head of the scale. What then must his feelings have been when he perceived, that she was below every State in the Union which can be considered as having had any thing like equal opportunities and advantages? Below eleven of the thirteen original States, and also below the State of Maine and the District of Columbia?

In adverting to this statement, in a company of Pennsylvanians, assembled to do honour to the memory of William Penn, it would readily be believed that he had no other object, than to engage their attention and their feelings in the great cause of education. It had not received the earnest and the general support it deserved and needed. Solitary exertions there had been, and there continued to be, highly honourable to those by whom they were made, and entitling them to all our gratitude. But there had been as yet no quick and pervading public sentiment—no animated and general co-operation—no strong and powerful impulse—such as bespeaks a deep conviction of the value of any plan of public benefit, and such too, as is the earnest of its success.

In his opinion, he said, this ought now to be the chief object of attention. Provision has been made for promoting the public prosperity by the cultivation and development of physical resources; let the public energies from this time be directed with equal zeal, to the moral and intellectual advancement of the commonwealth founded by Penn, and the fruits of our free institutions thus be made manifest in whatever may strengthen and adorn a State and make her citizens enlightened, virtuous and happy. Pennsylvania had the means of becoming as great in intellectual power, as she was in physical wealth.

He would express his meaning in a single word, which he should offer in obedience to the call. But as an eminent orator, when asked what was the first requisite of an orator, had answered—action; and the second—action; and the third—action; so would he dwell upon the word. His toast was, to mark by repetition his sense of its incomparable importance, Education—Education—Education.

Mr. BIRNEY being called upon for a toast, rose and addressed the chair.

I will answer your call, Sir, by proposing a sentiment which I hope will be found in harmony with the objects of this celebration. It has been truly said that our great Founder has transmitted to us most admirable principles of legislation, for all that regards the rights of private judgment, of private property, and personal security. These are excellent seeds, Sir, and that they have fallen upon a propitious soil, and have been most carefully cultivated, is proved by the exuberant harvest which we see around us. But without good husbandry it is obvious that the best seed and the best soil will yield but a harvest of weeds. Our Husbandmen, Sir, in this moral culture, are our Legislators and our Judges; and it must be the aspiration of all of us, that they may continue to emulate their fathers and forefathers in the

wisdom and fidelity of their labours. Our posterity will then enjoy the great blessing which the principles of the Founder were intended to secure, and which I propose as a toast.

Just Laws, and Justice according to Law.

By Mr. NONNIS, the President of the Society—The memory of CHARLES THOMPSON, who was called by the aborigines, "*The Man of Truth*."

By Mr. DUROCHEAU, Vice President—Our good city of Philadelphia—In twenty years the Manchester and Lyons of America.

Many other toasts were delivered appropriate to the occasion which we regret that we have not been able to procure.—*Poulson's Am. Adv.*

## LEGISLATURE OF PENNSYLVANIA—1829-30.

### SENATE.

*Philadelphia City*—Stephen Duncan, John Hare Powell.

*Philadelphia County*—Peter Hay, Jesse R. Burden.

*Montgomery*—Benjamin Reff.

*Chester and Delaware*—Joshua Hunt, John Kerlin.

*Bucks*—Matthias Morris.

*Berks and Schuylkill*—Daniel A. Bertolet, Jacob Krebs.

*Lancaster*—Frederick Hambricht, Samuel Houston.

*Dauphin and Lebanon*—George Seltzer.

*Northumberland and Union*—John Ray.

*Luzerne, Susquehanna and Columbia*—Jacob Drumheller.

*Bradford, Tioga and Susquehanna*—\*Samuel M. Kean.

*Northampton, Lehigh, Pike and Wayne*—Henry King, William G. Scott.

*Lycoming, Centre, Clearfield, M. Kean and Potter*—Robert M. Clure.

*York and Adams*—Henry Logan, \*Ezra Blythe.

*Franklin*—David Fullerton.

*Cumberland and Perry*—Jesse Miller.

*Huntingdon and Mifflin*—Thomas Jackson.

*Westmoreland*—Jacob M. Wise.

*Fayette*—Dr. Daniel Sturgeon.

*Washington and Greene*—William G. Hawkins, Thomas Ringland.

*Allegheny, Beaver and Butler*—John Brown, Moses Sullivan.

*Bedford and Somerset*—\*William Piper.

*Erie, Crawford and Mercer*—\*Thomas S. Cunningham.

*Venango, Warren, Armstrong, Indiana, Jefferson and Cambria*—\*Joseph M. Fox.

New members marked thus \*.

### HOUSE OF REPRESENTATIVES.

*Adams*—James M. Sherry, \*David Middlecoff.

*Allegheny*—Ross Wilkins, James Patterson, \*James S. Craft, \*Samuel Pettigrew.

*Armstrong*—\*John Sloan.

*Beaver*—\*Samuel Power, Robert Moore.

*Bedford*—N. P. Fetterman, \*Jacob Barndollar.

*Berks*—Thomas J. Rehner, Paul Geiger, John Stauffer, \*John Wanner.

*Bradford and Tioga*—John Laporte, Curtis Parkhurst.

*Bucks*—\*Robert Ramsay, \*A. Tomlinson, \*G. Sellers, \*J. G. Griffith.

*Butler*—William Purviance.

*Centre and Clearfield*—Henry Petriken, \*James Ferguson.

*Chester*—\*Jesse Pugh, \*Jesse James, \*Matthew Stanley, \*Joshua M. Minn.

*Columbia*—John Robison.

*Crawford*—\*Stephen Barlow.

*Cumberland*—Peter Lobaugh, Wm. Alexander.

*Dauphin*—\*Wm. Rutherford, \*Jacob Hoffman.

*Delaware*—\*Dr. Samuel Anderson.

*Erie*—George Moore.

*Fayette*—John Fuller, Joseph Encix.

*Franklin*—John Cox, \*Frederick Smith.

*Greene*—\*Benjamin F. Black.  
*Huntingdon*—John Blair, \*Henry Beaver.  
*Indiana and Jefferson*—\*Robert Mitchell.  
*Lancaster*—\*Samuel Parke, \*Benjamin Lenoille, \*Samuel Haworth, \*Samuel Landis, \*David Hammaker, \*John Long.  
*Lebanon*—\*Isaac Meyer.  
*Lehigh*—\*Peter Newhart, \*F. Knepply.  
*Luzerne*—Garrick Malley, George Dennison.  
*Lycoming, Potter and M'Kean*—Solomon Bastress, \*William Cox Ellis.  
*Me ad*—James Waugh.  
*Mifflin*—Ephraim Banks, \*John Cummins.  
*Montgomery*—John Matheys, James Evans, Adam Stemmer.  
*Northampton, Wayne and Pike*—William Overfield, M. R. Butz, \*George Kelchner, \*David D. Wagener.  
*Northumberland*—Henry Frick.  
*Perry*—James Black.  
*Philadelphia City*—\*Cadwallader Evans, \*Benjamin R. Morgan, \*George Emlen, \*Abraham Miller, \*Thomas W. Morris, \*Thomas F. Leaming, David S. Haslinger.  
*Philadelphia County*—\*Joseph Taylor, \*John Carter, \*George W. Smick, \*D. K. Miller, Benjamin Martin, \*E. W. Thomas, Jr. Michael Riter, Thomas J. Heston.  
*Schuylkill*—\*George Rahn.  
*Somerset and Cambria*—John Mathews, \*Samuel Statler.  
*Susquehanna*—\*A. H. Reed.  
*Union—Ner Middleswarth*, \*Philip Rhule.  
*Washington*—William Patterson, William Waugh, Samuel Workman.  
*Warren and Venango*—John Galbraith.  
*Westmoreland*—\*Thomas M'Quaid, Samuel Bushfield, Benjamin Byerly.  
*York*—Michael Doudle, George Fisher, \*Andrew McConkey.  
 Those in *Italics* are Anti-Masons; those marked thus\* were not members of the last legislature.

## PENNSYLVANIA, 23.

In the name and by the authority of the Commonwealth of Pennsylvania.

J. ANDREW SHULZE.

[L. 6.]

By J. ANDREW SHULZE,  
Governor of the said Commonwealth.

## A PROCLAMATION.

WHEREAS, by an act of the General Assembly of this Commonwealth, passed the 22d day of April last; entitled an act "relative to the Pennsylvania Canal and Rail Road," the Governor is authorized to borrow on the credit of the Commonwealth, two millions and two hundred thousand dollars, to be expended in the construction of the Pennsylvania Canal and Rail Road, and to be reimbursed at any time after twenty five years, from the first day of December next. And whereas, by the same act the Governor is authorized to negotiate temporary loans, for such sums as should be necessary previous to the negotiation of the permanent loan to be paid out of the permanent loan aforesaid, within six months from the passage of said Act; and the failure to obtain on permanent loan the sums required, having made it necessary to obtain on temporary loan a large portion of the sum authorized to be borrowed, which temporary loans, agreeably to the provisions of the said act, will become payable on the twenty-second day of this month, and the Commissioner of Loans having reported to me that only a part of the permanent loan has been obtained, and it appearing to be very improbable that the residue will be obtained in time to meet the engagements relative to the re-payment of the temporary loans, I have deemed it expedient to convene the General Assembly, with as little delay as possible, to the intent, that on this extraordinary occasion the Legislature may have an opportunity, at an early day, of adopting

such measures as shall be thought necessary to the fulfilment of the engagements which have been entered into on the part of the state under the sanction of its laws.

Therefore, and by virtue of the authority to me in such case given, in and by the Constitution of the Commonwealth, I have issued this proclamation, hereby convening the General Assembly to hold a session on Tuesday, the third day of November next, at the State Capitol, at Harrisburg; and of which time and place of convening, all persons therein concerned are required to take notice.

Given under my hand and the Great Seal of the State, at Harrisburg, this fifteenth day of October, in the year of our Lord one thousand eight hundred and twenty-nine, and of the Commonwealth the fifty-fourth.

By the Governor.

C. BLYTHE.

Secretary of the Commonwealth.

## PROCEEDINGS OF THE LEGISLATURE.

## House of Representatives.

TUESDAY, Nov. 3.—The House met agreeably to the Governor's proclamation, and organized at half past 2, P.M. The proclamation having been read, the different election returns were called over, when it appeared that ninety members answered to their names, and ten were absent. The House then proceeded to the election of Speaker, the Clerks acting as tellers. The following candidates for the chair were successively named, viz: Frederick Smith, of Franklin; Benjamin R. Morgan, of Philadelphia; Henry Petriken, of Centre; Ner Middleswarth, of Union; Samuel Workman, of Washington; Ross Wilkins, of Allegheny; Wm. C. Ellis, of Lycoming; Samuel Anderson, of Delaware, and John Laporte, of Bradford. In counting the votes it appeared, that no candidate had a majority of the votes present; and, therefore, the House proceeded to a second balloting, and successively to the sixth, which resulted in the election of FREDERICK SMITH, of Franklin, as Speaker. The following table shows the results of each balloting:

|                     | 1st, | 2d, | 3d, | 4th, | 5th, | 6th, |
|---------------------|------|-----|-----|------|------|------|
| Frederick Smith,    | 32   | 33  | 35  | 41   | 43   | 46   |
| Ner Middleswarth,   | 24   | 23  | 20  | 20   | 14   | 13   |
| Samuel Workman,     | 13   | 18  | 19  | 17   | 26   | 28   |
| Henry Petriken,     | 10   | 12  | 11  | 10   | 6    | 3    |
| Ross Wilkins,       | 6    | 0   | 0   | 0    | 0    | 0    |
| John Laporte,       | 2    | 2   | 3   | 1    | 0    | 0    |
| Benjamin R. Morgan, | 1    | 0   | 0   | 0    | 0    | 0    |
| Wm. C. Ellis,       | 1    | 1   | 0   | 0    | 0    | 0    |
| Samuel Anderson,    | 1    | 1   | 1   | 1    | 1    | 0    |
| George Denison,     | 0    | 0   | 1   | 0    | 0    | 0    |

Messrs. Denison and Banks having conducted the Speaker to the Chair, he addressed the House in a short speech. Mr. Denison being appointed for the purpose, and being selected by the Speaker, administered the oath of office to him; after which, the members were severally sworn or affirmed. Messrs. Anderson and Laporte were then appointed to inform the Senate that the House is organized; and the House received from the Senate a similar notice. Messrs. Wilkins and M'Sherry were then appointed to wait upon the Governor, and inform him of the readiness of the House to receive any communications from him. The House adjourned till Wednesday morning at 9 o'clock.

The Senate organized on Tuesday, and elected DANIEL STURGEON, Speaker, unanimously.

The Message of the Governor was delivered on Wednesday, but arriving here too late for insertion this week, will be contained in our number next week.

### PORT OF PHILADELPHIA,

*Inward for October, 1829.*

| Where from.             | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|-------------------------|--------|----------|--------|------------|---------|----------|
| England,                | 5      |          |        |            |         | 1856     |
| Madeira,                | 1      |          |        |            |         | 306      |
| French ports on Atl.    | 1      |          | 1      |            |         | 827      |
| Russia,                 | 1      |          |        |            |         | 334      |
| Hanse Towns,            |        |          | 3      |            |         | 810      |
| Sweden,                 | 1      |          | 1      |            |         | 472      |
| Portugal,               | 1      | 1        | 4      |            |         | 1615     |
| Cuba,                   |        |          | 2      |            |         | 408      |
| South America,          |        |          | 1      | 2          |         | 253      |
| British West Indies,    |        |          | 1      |            |         | 196      |
| British American Colon. |        |          | 1      | 5          |         | 699      |
| Danish West Indies,     |        |          |        | 2          |         | 232      |
| Spanish European ports  |        |          | 1      |            |         | 100      |
| British West Indies,    | 1      |          |        |            |         | 279      |
|                         | 11     | 1        | 15     | 9          |         | 8392     |

Coastwise, Inward, 66 vessels, 6,574 tons.

*Outward for October, 1829.*

| Where to.           | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|---------------------|--------|----------|--------|------------|---------|----------|
| South America,      |        |          | 4      | 1          |         | 838      |
| England,            | 2      |          |        |            |         | 874      |
| Cuba,               |        |          | 3      | 2          |         | 704      |
| Gibraltar,          |        |          | 1      |            |         | 214      |
| Brazils,            |        |          | 1      |            |         | 260      |
| Hayti,              |        |          | 1      |            |         | 138      |
| Br. Am. Colonies,   |        |          | 1      | 3          |         | 438      |
| Danish West Indies, |        |          | 6      |            |         | 1223     |
| Madeira,            |        |          | 1      |            |         | 129      |
| Hanse Towns,        |        |          | 1      |            |         | 284      |
|                     | 2      |          | 19     | 6          |         | 5101     |

Coastwise, outward, 89 vessels, 11,777 tons.

[Aurora.

### THE IRON BOAT.

It is with pleasure we are able to inform the community that the Iron boat built by the Lehigh Coal and Navigation Company has made her first voyage from Mauch Chunk to Trenton, and back to Easton up the channel of the Delaware to complete satisfaction.

The water being low on the Delaware, she was lightened up to 15 tons of coal. Her average burthen during the season is 20 tons, and it requires but five hands to push her up the Delaware channel. We also understand the Company has made and are about sending off a light boat made of wood, of the same size as the Iron Boat, to try the ascending character of the channel.—The experiment made with the Iron Boat, however, is decisive, as to the value of the channel, and there need be no suffering the coming winter along the Delaware for want of coal, as Durham boats can, by having a constant business, carry down coal to good advantage, and the larger boat, such as tried by the company, to still greater advantage. We also learn that there is a large supply of coal deposited at Southeaston.

*Mauch Chunk Pioneer.*

### GROWTH OF THE VINE ON THE ALLEGHENIES.

*Somerset, Pa. Sept. 21, 1829.*

J. S. Skinner, Esq.

Sir,—I wish to communicate, through the medium of your respectable paper, to the German emigrants who have been engaged in Europe in the cultivation of the vine, that in May last I commenced the planting of a vineyard on the Laurel hill, in this county, about ten miles west of this town, and have now one acre in vines, which appear to thrive exceedingly well. I can venture now to assert from experience, that the vine will do well on that hill; the only danger I apprehended was from the early frosts in the fall. We have now had three pretty severe frosts, one on the 4th, one on the 18th, and one on the 19th instant, which destroyed the buckwheat not then ripe, both east and west of this hill—and that on the hill is yet in full vigor of ripening, and the vines are perfectly fresh and green. There has not been any frost whatever there as yet. The summit of this hill or mountain, as it may be called, is the division line between this county and Westmoreland. It is the best timbered mountain in this state, consisting of the most useful kinds, for building, fencing and fuel; and the soil is generally of a superior quality, presenting many very favorable sites for vineyards, with southern aspects. I have engaged a German with his family, from Baden, who tends the vineyard, and he has no doubt of their succeeding well. Any industrious family, with a small sum of money, having experience in this business, would do well here I have no doubt. Every description of vegetables thrive here remarkably well; and there are no potatoes in America or Ireland superior to those raised on this hill.

I am, very respectfully,

Your obd't servant,

ABRAHAM MORRISON.

[*Amer. Farmer.*

### THE PETRE PEAR.

*Bartram's Botanic Garden, near Philadelphia, Oct. 9, 1829.*

J. S. Skinner, Esq.

Sir,—By this day's steamboat I have sent you a small box of pears, from a tree now growing in this garden, and which originated from seed planted here by the elder John Bartram, in the year 1735. In the report of the transactions of our Horticultural Society, for the last month, the fruit is described as "large, fair, melting, and of a delicious flavour." If this sample does not reach you in good condition, be pleased to inform me, and I will forward some by another conveyance, in order that you may judge whether the fruit is deserving of the above character. Mr. Bartram named it the *Petre pear*, as he received the seed from Lord Petre, of London.

The tree is of middle size, and is an abundant and constant bearer, not having failed once, in the last twenty years, to yield crops of from two to ten bushels of perfect fruit; although, from standing near the house, and in the middle of a gravel walk, it has not been manured or assisted with fresh earth for many years, it is still in good health and thriving condition. This tree has been in full bearing upwards of seventy years, and has probably produced more than 400 bushels of fruit, which has seldom been sold for less than two dollars, and more frequently for four dollars, a bushel.

I have also a number of fine bearing trees, grown from the seed of the preceding, all differing in quality, as some are early and others late, and of various sizes and flavour, but all of them producing fine fruit, far superior to the trash which we obtained from one half of our European varieties.

With your permission, I will write to you again, on this and other subjects, connected with horticulture.

Respectfully, I am your obd't servant,

ROBERT CARR.

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## MISCELLANEOUS.

It appears by a letter from James Thatcher, Esq. of Plymouth, Mass. that the "Foxite Potatoe" was introduced into New England from Pennsylvania, by means of an half bushel of that vegetable forwarded to him by Dr. Mease, of this City, in April, 1827.—*EDITOR.*

*See N. E. Farmer, Oct. 30.*

*Qu.* Whence did Pennsylvania derive this potatoe?

We are informed that eighty tons of iron for the Mine Hill and Schuylkill Haven Rail Road arrived at this port in the ship *Peru*. We learn also that the work is progressing on the line of the road with much celerity and despatch. It is said also that all the water lots at Schuylkill Haven have been taken up, and a determination manifested to open the coal trade extensively at this point. Very extensive sales of coal land, in the Pottsville District, were made at advanced prices during the past week.—*Aurora.*

*Appointments by the Governor.*

**JOHN L. WOOLF**, Esq. to be a Notary Public, to reside in the district of Spring Garden, in the room of *Peter F. Fritze*, Esq. deceased.

**JOSEPH P. LE CLERC**, Esq. to be a Justice of the Peace for the county of Philadelphia.

*Appointment by the Acting Canal Commissioner on the Juniata Canal.*

Gen. William B. Mitchell, to be supervisor of the Juniata Division of the Pennsylvania Canal.

Judge Barnes, the President of the District Court for the city and county of Philadelphia, was engaged, on Saturday morning, in hearing a case of much public interest. *M. Joaquim Barrozo Pereira*, a gentleman well known as a resident of this city for several years, and recently Charge d'Affaires of Portugal, was arrested, on Friday, and bail demanded in the large sum, as we are informed, of \$100,000. The suit was brought by *M. Torlade d'Azambuja*,—lately recognized by the government of the United States as actual Charge d'Affaires of Portugal,—for the recovery of the documents and archives of the legation, which *M. Barrozo* declines delivering to his successor. In consequence of the heavy amount of bail, *M. Barrozo* was confined in prison during Friday night.

Before the Court, a motion was made on his behalf, in the first place, for his liberation on common bail, on the ground that the suit was improperly brought, since the King of Portugal was the owner of the documents, and not his diplomatic representative who was named as the plaintiff; and in the second place, for his entire discharge, on the ground of his diplomatic privilege. The Court sustained the validity of the first objection; the second was postponed until Saturday next, in consequence of the absence of a part of the Court.

The writ was issued by Mr. Phillips, with whom was associated in the argument on behalf of *M. Torlade*, Mr. Joseph H. Ingersoll. The counsel of *M. Barrozo* were Messrs. Binney and Chauncey.—*Nat. Gaz.*

On Monday evening, at a semi-annual meeting of the Board of Inspectors of the Prisons of the City and County of Philadelphia, *George N. Baker*, Esq. was elected President; *James Page*, Esq. Secretary; and *George McLeod*, Treasurer. *Israel Deacon* was appointed Keeper of the Walnut street Prison, and *William H. Hood*, Clerk; *Jacob Reakirt*, Keeper of the Arch street Prison.

The Board of Inspectors is composed of the following gentlemen, chosen in the morning:

By the City Councils—*Thomas Wallace*, *Thomas Morris*, *Samuel Palmer*.

By the Commissioners of the Incorporated District of

the Northern Liberties—*George N. Baker*, and *Augustus Stevenson*.

By the Commissioners of the District of Southwark; *Joel B. Sutherland*, and *George McLeod*.

*Died*, August 16th, in the 73d year of her age, in Great George street, Westminster, England, *MART*, relict of the Hon. *RICHARD PENN*, one of the hereditary Lords, Proprietors and Governors General of the Province of Pennsylvania.

An Egg Plant measuring longitudinally 27½ inches and transversely 24½ do. and weighing 6 pounds, grew at Rockland Place on the banks of Schuylkill, in the vicinity of this city, where may be seen an apple tree with a quantity of ripe fruit on it, together with a considerable number of full blown blossoms, also a damson plum tree in bloom.

*Remarkable.*—There are two Apple trees at the residence of Mr. A. Winrott, about four miles from this town, which yielded, this season, two crops of apples, and were, last week, in blossom, for the third time.

*Gettysburg Sentinel.*

*Coal Trade of the Schuylkill.*—Shipments of Coal from Mount Carbon to Philadelphia:—

|                        |                   | <i>Tons.</i> |
|------------------------|-------------------|--------------|
| Week ending 31st inst. | 95 boats carrying | 2656         |
| Per last report,       | 2262 do.          | 60625        |
| Total,                 | 2357              | 63282        |

Despatched from Mauch Chunk on the Canal for the week ending the 24th inst.

|                              |           |
|------------------------------|-----------|
| 33 boats with coal, carrying | 1077 tons |
| 463 last report,             | 16363 "   |
| Total, 496                   | 17440     |

*Surgical Extirpation of a Tumour of Enormous Magnitude.*—On Thursday, 29th ult., Doctors S. D. Culbertson and N. B. Lane, of this borough, removed from the abdomen, of a woman of colour, in the vicinity of this town, a tumour of immense size, of the sarcomatous, or fleshy kind, and which weighed 25 pounds. It was firmly attached to the whole surface of the abdomen, and involved on its surface some of the muscles.

The dimensions were as follows:—

Circumference round the smallest part, or that which was attached to the abdomen, 1 foot 8 inches.

Circumference round the greatest part, 3 feet 4 inches.

Length from below the breast bone to the lower part of the abdomen, 1 foot 10 inches.

The operation was completed in 15 minutes, and we are happy to add, the woman is likely to recover.

*Chambersburg Repository.*

At a meeting of the Board of Managers of the Lehigh Coal and Navigation Company, October 30, 1829:

Resolved, That the toll on Coal, for the year 1830, be fixed at one and three quarter cents per ton, "per load or other device of six feet lift or fall," and so in proportion for any greater or lesser fall or lift.

From the minutes, *EDWIN WALTER*, Sec'y. At the rate above mentioned, the toll on Coal from Mauch Chunk to Easton, will be 1 dollar and 4 cents per ton.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 20.

PHILADELPHIA, NOV. 14, 1829.

NO. 98.

## GOVERNOR'S MESSAGE.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

### FELLOW CITIZENS:

In obedience to the authority vested in the governor, by the tenth section of the first article of the constitution of Pennsylvania, I have deemed it my duty to convene you at this early day; a principal reason why you have been thus convened, was set forth in the proclamation under which you have assembled, in order that the subject which would demand your earliest attention, might previously so occupy your thoughts, that you would come to the seat of government with all the information required, and be prepared to act with as little delay as possible. The pecuniary concerns, the income and expenditure of the commonwealth, its debts and credits, at all times subjects of deep interest, become particularly and imperatively subjected to your closest examination, and call for the most enlightened legislation and disposition, at a time when her engagements in great public works, as yet comparatively unproductive, demand an extension of her credit, and require that ample provision be made for the payment of the interest on the sums she shall borrow. All the documents and correspondence in connexion with this important topic, shall be submitted to the legislature. In the fall of 1828, the board of canal commissioners, in their report to the legislature, recommended that a loan should be made of three millions of dollars, to meet the estimated expenditure of the year 1829. By the act of December 18th, 1828, the governor was authorised to obtain a loan of 800,000 dollars, which sum was immediately obtained. By the act of April 22d, 1829, a further loan of 2,200,000 dollars was authorised, and the appointment of a commissioner of loans to reside in Philadelphia.

The appointment was promptly made, and the commissioner entered upon the performance of the duties assigned him, of obtaining the money required, on the terms authorised by law. The same act empowered the governor to obtain, as a temporary loan, so much money as should be found necessary to prosecute the public works, until the contemplated more permanent loan should be negotiated. The amount to be borrowed by the governor, it was provided by law, should be paid within six months after the passage of the act of April 22d, 1829, from the monies which it was expected would be obtained, under the same act, by the commissioner of loans. The whole amount of monies obtained, as a more permanent loan, by the commissioner, is 779,123.88 dollars; the balance of \$2,200,000 which the legislature authorised to be borrowed, has been made up of temporary loans procured by the governor. At an earlier period than the present, the amount of the loans obtained by the governor was greater than it now is, while the sum obtained by the commissioner was proportionably less than that here stated; the former amount being reduced by payment as rapidly as the latter was obtained. The whole correspondence on this subject accompanies this message; if any explanations are required, they will promptly and cheerfully be given. It is expected that amongst the earliest acts of the legislature, will be the making provision to pay off that portion of the loan, the

payment of which became due on the 22d of the last month. The Canal commissioners, by a resolution of the 3d of October, requested that an additional temporary loan of 196,000 beyond the loan authorised by the act of 22d April last, "relative to the Pennsylvania canal and rail road," should be negotiated, to be applied to certain designated divisions of the canal and rail road. In accordance with the request in that resolution, I have obtained \$106,000, and placed it in the hands of the commissioners of the internal improvement fund, to be applied to the divisions of the canal and rail road; designated in the resolution of the board of canal commissioners. This loan has been negotiated on the same terms with the other temporary loans. The necessity of continuing the operations upon the canal and rail road, and in some instances of securing the works against the danger of serious injury during the approaching winter, will, I trust, render the propriety of this measure sufficiently apparent; I therefore submit it to the legislature to provide for the payment of this loan, together with the other temporary loans. The correspondence with the banks making this loan, will be submitted to the legislature, from which will be seen the terms upon which it has been negotiated, and the time of its repayment.

The money obtained under the act of April 22d, 1829, would have been amply sufficient to meet all the demands of the Canal Commissioners to the present time, if the vouchers and consequent drafts in the Treasury of some of the acting Canal Commissioners in June last, had not greatly exceeded what had been usual or was expected. The reasons why the proposed loan failed, have been variously stated, and appear to have originated from such diversified and remote causes that the detail would be unproductive of advantage. How far the restrictions as to the rate of interest, or the particular mode directed by law for disposing of the loan, operated on the money lenders, it might be desirable to ascertain, if it were only to solve the problem, that the canal stock of a neighboring state commands a premium abroad, while that of this, no less wealthy Commonwealth, is in no demand and will not sell at par. Has the provision, that the amount of the loan, not subscribed for at a given time, should be put up at public auction, and the fact that it was so put up and did not obtain even a bid, had any, and if any, what extent of influence on the credit of the state? It may here be proper to state, that no doubt is entertained, that whatever funds shall be required to complete the canals and rail roads under contract, can be had on the most favorable terms, if the resources of the commonwealth shall be made to flow into the treasury in such abundance as shall inspire perfect confidence in the lender that his interest will at all times be punctually paid, at the times for that purpose regularly fixed. No duty is more imperative or pressing on the general assembly, than that which is here adverted to. It would be unjust as well as impolitic, not to acknowledge the friendly dispositions manifested by many of our monied institutions, in their efforts to obtain the sums wanted to enable the board of Canal Commissioners to prosecute the work entrusted to their care, so successfully as to have now 177 miles of Canal in actual operation, viz. 75 miles from Pittsburgh to Blairsville; 41 miles from Lewistown to the mouth of the Juniata; 37 miles from Northumberland to the Ju-

niata river, and 24 miles from the mouth of that river to Middletown, are believed to be in complete navigable order, except the aqueduct at the Juniata. The routes now in operation were so far finished under the late board of Canal Commissioners, that the present Board had the gratification of early having them filled with water and ascertaining that the banks, excavations, and the locks and bridges, were of such solidity and workmanship, that the boats performed their trips without delay or difficulty, other than such as appertain to the best executed works of such magnitude. The expectation is still confidently entertained that early in the next summer there will not be less than 400 miles of the Pennsylvania Canal in full operation. When to this extent of inland navigation is added that which is afforded by the Schuylkill and Lehigh canals, we have much cause to be proud of the public spirited exertions of our constituted authorities and fellow-citizens, and to hope that prosperity and wealth will flow in upon us abundantly, to stimulate our industry to the utmost, and bring to market the mineral and metallic treasures which are now buried and useless. The completion of the Chesapeake and Delaware Canal is an event of too much moment not to call forth our liveliest congratulations.

The report of the Board of Canal Commissioners and of the Directors of the Schuylkill and Lehigh navigation companies, will place before the Legislature all the facts necessary to a thorough understanding of the present condition of our canals and rail roads. The present opportunity is embraced to suggest the appointment of a board of Commissioners to superintend the turnpike roads and bridges, in which the state holds stock, or to devolve that duty, with their other duties, on the board of Canal Commissioners. The turnpike roads form an important branch of the improvements which have been undertaken in our state—they have been constructed by incorporated companies; aided in many instances by the state. The funds placed at the disposal of these companies have very frequently proved unequal to their expenditures. Debts have consequently been contracted in the construction of the roads. These works when completed, although of immense value to the country, have rarely proved profitable to those who advanced the money expended in their construction.—The consequence has been that Stockholders and creditors have been alike sufferers. The tolls which should form a source from which means should be derived for the repair and improvement of the roads, have been diverted by the urgent demands of creditors from their legitimate objects, to the neglect, in many instances, of both repairs and improvements. The public works in which the state is now engaged will enhance instead of diminishing the importance of these roads. If our canals should cause an increased trade to spring up with in, or to pass through the state, the value of good roads, so essential in facilitating the communication of those concerned in the conduct of the trade, will become more obvious. I submit it therefore to the wisdom of the legislature whether means can be devised by which the state might contribute not only with justice, but advantage, something towards the relief of those who have employed their money or their labour in the construction of these roads, and who have been compelled to look in vain to the profit to be derived from them when completed for a recompense. If by contributing to the relief of these companies from debt, the state could secure the means necessary to the repair and improvement of the roads, a great object would be gained. The state as a stockholder in common with individual stockholders, is deeply interested in rendering these roads profitable, but she is perhaps more deeply interested in rendering them, by a high state of improvement, safe and convenient channels of communication.

The experience which has been purchased, will enable the Legislature to adopt the true course of policy which should be laid down, for the future government of the board of canal commissioners. If it shall have

been ascertained, that, in consequence of the great extent of work undertaken by the state, the price of laborer's wages, became double what it had been at the outset of the work, and that the wiser course would have been to have directed all our energies and resources to the completion of a particular route—such as that which is to connect our eastern and western waters, rather than to have extended our lines of communication, over the whole surface of the state, then will the present General Assembly take such measures as shall ensure the completion of our most important routes, so that money from tolls, shall be brought into the public Treasury to meet the public exigencies. The check caused by the failure of the late loan, will impose upon the Legislature a deliberate reconsideration of all that has been done in relation to internal improvement. That such a reconsideration will produce wise measures, and happy consequences, will hardly admit of a doubt.

An application may be expected from the stockholders for a renewal of the charter of the Bank of Pennsylvania. The large amount of stock in that institution, owned by the state, will, whatever objections may be urged, require that no step in relation to it, shall be taken, except upon mature advisement. If the General Assembly shall regard this investment of the public money as a profitable one, and regard the Bank with a favorable eye in reference to granting it a new charter, a close revision of the one it now enjoys, will come fairly under consideration, and also, the introduction into it of such modifications as experience may suggest as likely to issue in advantage to the community.

Applications for divorces to the Legislature become every year more numerous, and of necessity consume in the investigation of the concerns of individuals, a large portion of that time, which might profitably be bestowed on the business of the public. In some cases it is feared that application is made to the Legislature, and acted upon without sufficient evidence that the party complained against has been duly notified of the application intended. Would not all the ends of justice likely to be obtained by the granting of divorces be more certainly attained, if the jurisdiction of our courts were more extended over them, and the causes of divorce more fully defined than at present.

If I am not much misinformed as to the operation of the laws which now regulate the relations between Landlords and Tenants, they loudly call for the benefits of revision and consolidation. This is more especially the case in our cities and large towns, where a large proportion of the houses are rented? I recommend, in an especial manner, that a prompt and cheap remedy be devised, by which Tenants shall be compelled to surrender up possession when required so to do, at the end of the period for which the premises shall have been demised. The Act of the 25th of March, 1825, which was intended to remedy this evil in the city and county of Philadelphia, is complained of as almost wholly inoperative, as the Tenant must voluntarily have removed from the premises, before the Landlord can have a writ of possession issued. How far the peculiar power vested in Landlords for the securing of their rents is founded in justice, or derived from the ancient laws of England, and adopted without sufficient examination is a matter not unworthy to occupy a portion of the time of the General Assembly.

There are some subjects of deep and general importance which press upon the mind of the Governor, and which he has more than once submitted to the Representatives of the people, but which have not yet commanded that portion of Legislative consideration to which he thinks them entitled. To some of these topics he would even now in a few words solicit attention.

There is no provision in our truly excellent constitution, of a more imperative character, than that which declares "that the Legislature shall, as soon as conve-

niently may be, provide by law for the establishment of schools in such manner that the poor may be taught gratis." Have such schools been established? I think not, and thus thinking I again call it to memory, and urge it upon you as a duty, the performance of which will do you honor, and shower down blessings upon the Commonwealth.

The "free and equal" exercise of the right of suffrage is secured by the constitution to every qualified citizen, but it is much doubted whether provision has been made by law to make good that which is guaranteed by the constitution. The construction of the qualification requisite is different in one county, and even in one township of the same county, from what it is in another. The neglect or design of an assessor or tax collector may exclude a citizen from the poll in one district, although it will not exclude him in another, some legislative enactment making clear the duties of election officers, and insuring greater uniformity in their decisions, would do much towards insuring the correct exercise of this precious right.

The right to bear arms is another important right guaranteed to all our citizens by the constitution. The right thus guaranteed, seems to me, to impose upon the Legislature the duty of so organizing and disciplining the whole body of the citizens, that they shall be able, not only to bear arms, but to use them with confidence and skill, "in defence of themselves and the State," if such a necessity shall arise. I think, therefore, every encouragement should be given to our volunteer corps. Let the Legislature not forget that the great body of the people, their constituents, constitute the militia, and claim that such a law may be passed as shall make them what they ought to be, the pride and strength of their country, and its sure defenders against oppression at home, or invasion from abroad.

The importance of giving publicity with as little delay as possible, to the decisions of the Supreme Court, is sufficiently obvious. It seems to be considered that profits to be derived from the publication of reports of decisions, will hardly compensate for the labor and expense to be incurred in preparing and publishing them. I would, therefore, recommend, that provision be made by law for the employment of a reporter. By a small tax on writs of error, which could not operate oppressively on any one, a fund might be provided for the payment of the reporter.

About to retire from the important office to which I was called, and in which I have been continued by a large majority of my fellow citizens, I should but ill acquit myself to my own feelings, did I not seize upon the present, probably the last, occasion which may offer, to reiterate the gratitude I have ever felt for the honor conferred, and protest, in justice to myself, that I have in all things, according to my best judgment, conscientiously and diligently labored to advance the welfare, and promote the happiness of those by whom I have thus been honored, and to increase the prosperity of my native state. I shall not now subject myself to animadversion if I venture a suggestion in relation to the accommodation and dignity of the future Chief Magistrates of Pennsylvania; I am persuaded that the adoption of the suggestion about to be offered, would be of much advantage, not only in his relations and intercourse with the Legislature, but in the prompt and easy access it would afford him to the public offices of the several heads of department, thus facilitating his means and improving his opportunities to take care that the laws shall be faithfully executed. Many of our sister states have erected government houses adjacent to their Legislative halls, for their Chief Magistrate to reside in; the Commonwealth of Pennsylvania has built elegant and capacious Legislative halls, and commodious public offices, near which are several suitable and noble sites on which to erect a house for the Governor of the Commonwealth, in which it should be made his duty to reside at least during the sitting of the General

Assembly. I would recommend that provision be made for the erection of such an edifice.

Until my successor shall be constitutionally called to the Governor's chair, it will give me sincere pleasure heartily to co-operate with you in all such measures as shall promise to benefit our constituents and our country.—When I shall retire to private life, I will carry with me a grateful heart, and an anxious desire so to manifest its feelings, as to contribute to the general weal. I fervently pray that that Great and Beneficent Being, who has done such marvellous things in behalf of our highly favored country, may still continue to watch over and protect us. To you my fellow citizens, collectively and individually, I wish health and happiness.

J. ANDREW SHULZE.

Harrisburg, Nov. 4, 1829.

#### BIOGRAPHICAL MEMOIR OF MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 281.)

The first division of the French fleet, under the command of the Chevalier de Ternay, arrived at Newport, Rhode Island, on the 10th of July, with 6000 land troops, and all the necessary implements of war; these troops were under the command of Lieutenant General Count de Rochambeau. The fleet consisted of seven sail of the line, five frigates, and five smaller armed vessels. At the period of de Ternay's arrival, Admiral Arbuthnot had only four sail of the line at New York; however, in a few days after, he was reinforced by Admiral Greaves, with six ships of the line from Great Britain, which occurrence removed all dread from an attack by the French squadron.

As the British commanders now possessed a superiority, they resolved to act offensively both by sea and land. In pursuance of this, Sir Henry Clinton embarked about 8000 men, with the view of attacking the French at Newport. Gen. Washington having received intelligence of this movement, and being now of sufficient force to take advantage of Sir Henry's absence, immediately crossed the Hudson, and advanced with his army for the purpose of attacking New York; but Clinton having received early intelligence of Washington's march, returned with his troops, and by this means, the American General was disappointed in his hopes of an attempt on New York, whilst in a weakened state; he, therefore, re-crossed the Hudson, after having taken possession of some strong ground on the east side of that river, for the purpose of more effectually aiding in any future attempt against the enemy on York Island.

Shortly after this expedition Gen. Washington addressed the Governor of Pennsylvania, "With every exertion I can scarcely keep the army in this camp, entirely continental, fed from day to day. It is mortifying that we should not, at this advanced period of the campaign, have magazines of provisions for even one half of the men necessary for our intended operations. I have every assurance from the French land and sea commanders, that the second division may, without some very unexpected accident, be daily expected. Should we, upon the arrival of this re-inforcement, be found, after all our promises of a co-operating force, deficient in men, provisions, and every other essential, your Excellency can easily perceive what will be the opinion of our allies, and of all the world, and what will be the consequence in the deranged and distracted state of our affairs."

In another of the same date to a particular friend are these sentiments—"In an army so unstable as ours, order and economy have been impracticable. The discontents of the troops have been gradually matured to a dangerous extremity. Something satisfactory must be done, or the army must cease to exist at the end of the campaign, or it will exhibit an example of more virtue, fortitude, self-denial, and perseverance, than has ever

been paralleled in the history of human enthusiasm." A few days after this period, for the purpose of making some important arrangements with the Count de Rochambeau and Admiral Ternay, Gen. Washington and those officers had determined to have a personal interview on the 25th of September, at Hartford in Connecticut. All the money which the General and his suite could obtain in camp would not have defrayed the expenses of this short excursion, had not the Governor of Connecticut given orders that "they should be at free cost in that state."

When Gen. Washington had resolved to attack New York in the absence of Sir Henry Clinton, he offered Gen. Arnold a command in the expedition, which created evident signs of confusion in that officer. But this circumstance excited no suspicions in the mind of the Commander-in-chief, although he knew him to be mercenary, fond of parade, and desirous of procuring money to defray its expenses; yet he entertained not the most remote notion of his being treacherous. Arnold apologized to the gentlemen of Washington's suit, and mentioned his lameness as disqualifying him for an active command. This being reported to the Commander-in-chief, Arnold was ordered to take command of West Point and its dependencies. At this post he was stationed with a considerable body of troops, when Gen. Washington made his visit to Hartford, and it was in the absence of the Commander-in-chief, and in the distressed state of the army, that the villainous Arnold developed his real character, which heretofore he possessed the address, in a good measure, to conceal. The details of this man's treachery cannot be admitted into this Memoir; the reader may be gratified with the perusal of them in any history of the revolutionary war.

The following documents, on this occasion, may afford a sufficiency of novelty to compensate for the time occupied in the perusal.

Steenrapija, Sept. 17, 1780.

#### MAJOR GENERAL GREENE'S ORDERS.

His Excellency, the Commander-in-chief, going to be absent from the army a few days, the knowledge of which may possibly reach the enemy, and encourage them to make some movement in consequence thereof. The General desires the officers of all ranks to be in perfect readiness to march their men on the shortest notice, and recommends to the out guards to be very vigilant and attentive, and the patrols active and watchful.

Orangetown, Sept. 26, 1780.

#### GENERAL GREENE'S ORDERS.

Treason, of the blackest die, was yesterday discovered; Gen. Arnold, who commanded at West Point, lost to every sentiment of honour, of private and public obligations, was about to deliver up that important post into the hands of the enemy; such an event must have given the American cause a deadly wound, if not fatal stab. Happily the treason has been timely discovered to prevent the fatal misfortune. The providential train of circumstances which led to it, afford the most convincing proof that the liberties of America are the object of divine protection.

At the same time that the treason is to be regretted, the General cannot help congratulating the army on the happy discovery. Our enemies, despairing of carrying their point by force, are practising every base art to effect by bribery and corruption what they cannot accomplish in a manly way.

Great honour is due to the American army that this is the first instance of treason of the kind, where many were to be expected from the nature of the dispute, and nothing is so bright an ornament in the character of the American soldiers, as their having been proof against all the arts and seductions of an insidious enemy. Arnold has made his escape to the enemy; but Mr. Andre, Adjutant General of the British army, who came out as a spy to negotiate the business, is our prisoner.

His Excellency, the Commander-in-chief, has arrived at West Point, from Hartford, and is, no doubt, taking the proper measures to unravel fully so *hellish a plot*.

Head-Quarters, Orangetown, Sept. 30, 1780.

#### GENERAL ORDERS.

The Commander-in-chief takes this occasion to thank Major-General Greene for the able and satisfactory manner he discharged the duties of the Quarter-Master General's department during his continuance in office, and to express his approbation of his conduct and orders in the absence of the General.

Head-Quarters, Orangetown, Oct. 1, 1780.

#### GENERAL ORDERS.

The board of general officers appointed to examine into the case of Major Andre, have reported:

1st. That he came on shore from the Vulture sloop of war, in the night of the 21st of Sept. last, on an interview with General Arnold, in a private and secret manner.

2d. That he changed his dress within our lines, and, under a feigned name, and in a disguised habit, being then on his way to New York, and when taken, he had in his possession several papers, which contained intelligence for the enemy.

The board having maturely considered these facts, do also report to his Excellency, General Washington, that Major Andre, Adjutant-General of the British army, ought to be considered as a spy from the enemy; and that, agreeable to the laws and usage of nations, it is their opinion he ought to suffer death.

The Commander-in-chief directs the execution of the above sentence, in the usual way, this afternoon, at five o'clock precisely.

#### AFTER ORDERS.

The execution of Major Andre is postponed until to-morrow.

#### EVENING ORDERS.

Major Andre is to be executed to-morrow, at twelve o'clock precisely. A battalion of eighty file from each wing to attend the execution.

The instant Gen. Washington arrived at West Point he despatched an express to Gen. Greene, to order immediately to King's ferry two brigades for the protection of West Point and its dependencies. The troops which were the 1st and 2d Pennsylvania brigades, commanded by Generals Wayne and Irvine.

Whilst on the march, Gen. Wayne, who, by seniority, commanded the division, received the following order from the Commander-in-chief—

Dear Sir—Instead of coming to the ferry, you will march your brigade by Stormes' and Clement's to West Point, sending your baggage by water. You will, for this purpose, send forward your Quarter-Master to King's ferry to prepare boats, with directions, if there are not a sufficiency there, to come on to West Point for them.

I am, sir, your most obedient servant,

GEO. WASHINGTON.

Robinson's, Sept. 26th, 1780.

If there should be two brigades on their march, you will detach one of them in the above manner, and halt the other at some convenient place in the rear of Stony Point.

General WAYNE.

Smith's White House, Sept. 26, 1780. }  
6 o'clock, A. M. }

Dear Sir—Your letter of yesterday, from Robinson's House, came to hand between 7 and 8 o'clock in the evening. As the troops were much fatigued on account of loss of sleep, no prospect of any move of the enemy up the river, and being in possession of, and commanding the pass by Storm's, &c. towards West Point, with a road in our rear to file off our artillery by Haverstraw forge, under the mountain to Suffrein's.

Gen. Irvine and myself thought it best to remain in this position until morning, or until a move of the enemy should take place; in the latter case to make a rapid march for West Point, sending our artillery and baggage by the route already mentioned, as soon as the latter should arrive.

I forgot to mention to your Excellency that the 1st and 2d brigades marched for Tappan at a moment's warning, leaving our tents standing, guards and detachments out, and pushed with rapidity to secure this pass, where it would be in our power to dispute the ground, inch by inch, or to proceed to West Point as occasion might require, which was effected in as little time as ever so long a march was performed.

As the wind is at present strong down the river, neither baggage nor guard have arrived, although every moment expected. I shall take post at William's with the first brigade and artillery of the second. General Irvine will move to Storm's, and wait your further orders with regard to the baggage wagons, horses, &c. The wind is too high for the boats to make up the river even if the baggage was arrived. The troops are at present employed in cooking for to-day and to-morrow, so that no time will be lost until I receive your further orders. I am your Excellency's most obdt. servt.

ANTHONY WAYNE.

Dear Sir—I have just received your letter this morning. Gen. Irvine, with the 2d brigade, will move on to West Point, and the first brigade remain where it is till further orders, until a movement of the enemy.

You will dispose of your baggage as you find most convenient.

I am, sir, your most obedient servant,  
Gen. WAYNE. GEO. WASHINGTON.  
Head-Quarters, Robinson's, }  
September 27th, 1780. }

Dear Sir—The General desires you, on receipt of this, to send a party of fifty men to proceed ten miles down the river road, beyond the ferry, to give security to the guard, who are conducting the prisoners to head-quarters on an upper route.

I am your most obedient servant,  
Gen. WAYNE. ALEXANDER HAMILTON,  
Aid-de-camp.  
Head-Quarters, Sept. 28th, 1780.

On the 2d of October, 1780, agreeably to general orders, Major Andre was executed. Says an eminent writer, when speaking upon this subject: "The Major was superior to the terrors of death; but the disgraceful mode of dying, which the usage of war had annexed to his unhappy situation, was infinitely dreadful to him.—He was desirous of being indulged with a professional death, and accordingly had written, the day before, a pathetic letter, fraught with all the feelings of a man of sentiment and honor, in which he requested of General Washington that he might not die on a gibbet."

Major Andre to Gen. Washington.

Tappan, Oct. 1st, 1780.

Sir—Buoyed above the terror of death, by the consciousness of a life devoted to honorable pursuits, and stained by no action that can give me remorse, I trust that the request I make to your Excellency at this serious period, and which is to soften my last moments, will not be rejected.

Sympathy towards a soldier will surely induce your Excellency and a military tribunal to adapt the mode of my death to the feelings of a man of honor.

Let me hope, Sir, that if aught in my character impresses you with esteem towards me; if aught in my misfortunes marks me as the victim of policy not of resentment, I shall experience the operation of these feelings in your breast, by being informed that I am not to die on a gibbet.

I have the honor to be your Excellency's  
Most obedient, and most humble servant,  
JOHN ANDRE,  
Adjutant-General to the British army.

Says Mr. Marshall, "the general officers lamented the sentence which the usages of war compelled them to pronounce, and perhaps on no occasion of his life did the Commander-in-chief obey with more reluctance the stern mandates of duty and policy. The sympathy excited among the American officers at his fate was universal, as is usual on such occasions, and proclaims alike the merit of him who suffered and the humanity of those who inflicted the punishment."

Gen. Washington, in a letter to a friend, said, "Andre has met his fate with that fortitude which was to be expected from an accomplished man and a gallant officer; but I am mistaken if, at this time, Arnold is undergoing the torments of a mental hell. He wants feeling. From some traits of his character, which have lately come to my knowledge, he seems to have been so hacknied in crime, so lost to all sense of honor and shame, that while his faculties still enable him to continue his sordid pursuits, there will be no time for remorse."

In addition to the sentiments of General Washington respecting this base man, Colonel Alexander Hamilton, in a letter to a friend, said "This man, Arnold, is in every sense despicable. In addition to the scene of knavery and prostitution, during his command in Philadelphia, which the late seizure of his papers has unfolded, the history of his command at West Point is a story of little, as well as great villainies. He practised every dirty act of speculation, and even stooped to connections with the sutlers of the garrison, to defraud the public."

Although the Commander-in-chief, and his first aid, Colonel Hamilton, depict this traitor in dark colours, yet General Wayne, in the following letter, under date of the 27th September, to a friend in Congress, adds to them a deeper hue:

"I am confident that the perfidy of General Arnold will astonish the public; the high rank he bore, the éclat he had obtained, whether deservedly or not, justified the world in giving it him. But there were a few gentlemen who, at a very early period of this war, became acquainted with his true character. When you asked my opinion of that officer last winter, I gave it freely, and, I believe, you thought it rather strongly shaded.

I think that I informed you I had the most despicable idea of him, both as a gentleman and a soldier, and that he had produced a conviction to me in 1776, that honour and true virtue were strangers to his soul; and however contradictory it might appear, that he never possessed either genuine fortitude or personal bravery, and that he rarely went in the way of danger, but when stimulated by liquor, even to intoxication.

I shall not dwell upon his military character, or the measures he had adopted for the surrender of West Point; the latter have, no doubt, been already fully mentioned by the Commander-in-chief in his despatches. But I will give you a small specimen of his peculate talents.

What think you of his employing sutlers to retail the public liquors for his private emolument, and furnishing his quarters with beds and other furniture, by paying for them with pork, salt, flour, &c. drawn from the magazines: he has not stopped here; he has descended much lower, and defrauded the veteran soldier who has bled for his country in many a well fought field, during five campaigns, among others, an old sergeant of mine has felt his rapacity. By the industry of this man's wife they had accumulated something handsome to support themselves in their advanced age, which, coming to the knowledge of this cruel spoiler, he borrowed a large sum of money from the poor credulous woman, and left her in the lurch. The dirty, dirty acts which he has been capable of committing, beggar all description, and they are of such a nature as would cause the infernals to blush, were they accused of the invention and execution of them.

The detached and debilitated state of the garrison on West Point insured success to the assailants; the enemy were all in perfect readiness for the enterprise, and



only waited the return of Andre to carry it into execution. The 26th was the day fixed on for this exploit, and the discovery of Arnold's treachery was not made until late on the 25th. At 12 o'clock of the morning of the 26th an express reached General Greene from his Excellency, who had fortunately arrived at West Point on his return from Hartford, to push on the nearest and best disciplined troops, with orders to gain the defile or pass over the Dunderburg before the enemy. The first Pennsylvania brigade moved immediately, and on the arrival of the second express I was speedily followed by our gallant friend, General Irvine, with the second brigade. Our march of 16 miles was performed in four hours, during a dark night, without a single halt or a man left behind. When our approach was announced to the General he thought it fabulous; but when assured of the reality of his 10th legion being near him, he expressed great satisfaction and pleasure.

The protection of this important place is committed to the division under my command until a proper garrison arrives. We will dispute the approaches to the works inch by inch, at the point of the bayonet, and if necessary, decide the fate of the day in the gorge of the defiles at every expense of blood. You may rest assured that whatever may be the issue, neither the conduct of myself nor gallant assistant will ever require the palliation of a friend or cause a blush on the cheek of any affectionate acquaintance."

Most respectfully, your obedient,

ANTHONY WAYNE.

(To be continued.)

Judge HOPKINSON, having in polite compliance with our request, permitted us to publish the introductory Lecture to his course on Mercantile Law, with which he entertained a very large and respectable audience on Thursday evening the 5th instant; we have now the gratification of presenting it to our readers.

This course of lectures is delivered at the solicitation of the Mercantile Library Company of this city—and we hope will be well attended.

#### INTRODUCTORY DISCOURSE,

TO THE MERCANTILE LIBRARY OF PHILADELPHIA.

Delivered Nov. 5th, 1829.

#### GENTLEMEN:

The prosperous and happy condition of our country is a growing theme of admiration, congratulation and gratitude. A noble and useful ambition is every where in action, stimulating individuals, societies and states, to enterprizes as beneficial in their consequences as they are grand in their conception. While, in Europe, festivals are held to honour the birth of some drivelling or licentious monarch, whom but few know, and fewer respect; while triumphs are awarded to celebrate a sanguinary, devastating battle, we reserve such testimonials of public approbation and joy, to announce the completion of some great national work; the opening of canals which mingle the waters of distant streams, and the interests of the people of a vast empire, affording them the easy communication of immediate neighborhoods; for the laying of the foundations of roads to traverse mountains and morasses, diving into dark and untrodden forests, and connecting regions which seemed to be destined by nature to be forever aliens to each other. These are the festivals of prosperity and patriotism; these are the triumphs of a rational and happy people.

Nor are such the only, or the best, evidences of improvement in the United States. The cultivation of the human mind proceeds with an equal step, to more important results. The spirit of education is every where awake; the emulation of intellectual superiority animates all classes of society; and an American citizen,

disdaining to know nothing more than may be indispensable for his peculiar occupation, extends his inquiries & his knowledge to every subject which can elevate and strengthen his intellectual faculties, and make him more useful and respectable. He says, in a sense more extensive than the original,

*"Homo sum, et nihil humanum alienum a me puto."*

One of the most striking and important proofs of this spirit of improvement is found in the formation of associations for providing the means of acquiring various knowledge; and affording opportunities and facilities for using them with advantage. Among such, the "Mercantile Library of Philadelphia," holds, most deservedly, a distinguished place. To an American citizen who has any interest or pride in the character and destinies of his country, what can be more gratifying than the spectacle which this association presents. Men of all ages mingled and united for mutual encouragement and aid in the pursuit of knowledge; a common stock furnished at a common expense, where every one may supply his peculiar wants, and suit his taste. Every earnest and diligent member of such a Society must possess a refined and swelling sensibility for the honour of his country, and for his own consideration as one of her citizens: He must feel how disgraceful the reproach of ignorance is to her and to himself; and be resolved to do his part to raise her as high on the scale of mind, as she, confessedly, is in the freedom and justice of her political institutions. A commonwealth of freemen, living in contented ignorance, with all the means of learning at their command, would be a stain upon the nature of man—a republic, rich and powerful in every thing but knowledge; liberal, proud and just in every thing but instruction; happy, and envied in all things but intellectual pre-eminence: would be a national dishonour, without a palliation to hide or soften it.

No truth is more unquestionable, than that Education should have reference to the country and state of society in which the man is to live and act; and it is good or defective as it fits him or otherwise to become eminent and useful in the community of which he is a member. Agesilaus said—"it is most proper for boys to learn what they ought to do when they come to be men." This wise maxim covers a great space; and must not be restricted to the mere acquisition of competent skill in a particular business or art; but equally applies to all his duties as a moral, a countable being; and as a part of the society in which he lives. The youth then, who, in manhood, is to be the member of a commonwealth, requiring the aid of all his faculties, & which opens to him every occupation, every station; and demands of him corresponding duties, should receive a more extended and various education than might be necessary or useful, if he were confined to a given and narrow path in his passage through life. In those countries, and we read of such, in which the child is compelled to follow the profession and occupation of his father; and where no talents, acquirements or ambition can raise him above it; where the son of a shoemaker may, like the gifted Bloomfield, or the indefatigable Gifford, dream of poetry by night and by day, and be enflamed and agitated by her feverish inspirations; but the divine fire must burn unseen and unknown; it may consume the unhappy victim by its smothered heat, but it dares not to blaze out to enlighten and delight the world. The child of genius pines in hopeless obscurity, and must waste her existence in ignoble labor. In such a condition it would be a positive injury to store the mind with learning which the possessor could never use; or to put before him the bright emanations of genius which he dare not look upon. It would be cruel to place enjoyments in his view, which he could not reach; or give him a refinement of taste he could not indulge. He would be made miserable by an incurable disgust to the employment, to which destiny and despotism had chained him, and by despairing longings after higher and better things. Not such is the fate of an American youth; nor such has

dreary and monotonous prospect. Every path that leads to honor and wealth lies at his feet, and invites his step. Every excitement that can stimulate an aspiring heart urges him to advance. The bright reward is before him, and the way is clear. He may change the object of pursuit at pleasure; he may try every avenue of fortune and fame, until his efforts are crowned with success. He may begin life in a counting house and end it on the bench of justice. In his youth he may be engaged in some mechanic art, and, at a mature age, find himself taking a leading part in the councils of the nation; or teaching the sublime truths of religion from the altars of his God. But can he hope to achieve these things with honor and advantage, unless he is thoroughly educated in his early life; unless all his faculties have been exercised & improved to their utmost stretch, & his capacity enlarged and filled? Without this, if, by accident, he should rise, it will be but the more to discover his defects; the more he undertakes to do, the more will his insufficiency appear; and his distinctions will expose him to mortification and reproach. Ultimately he must fall back to the insignificance and neglect above which he is unable to sustain himself.

The American parent does an injustice to his child which he can never repay; for which no inheritance can compensate, who refuses to give him a full education, because he is not intended for a learned profession. Whatever he may intend, he cannot know to what he may come; and if there should be no change in this respect, will a liberal education be lost upon him, because he is not a lawyer, a doctor, or a divine? Nothing can be more untrue or pernicious than this opinion. It is impossible to imagine a citizen of this commonwealth to be in any situation in which the discipline and acquirements of education, however various and extended, will not have their value. They will give consideration and usefulness, which will be seen and felt in his daily intercourse of business or pleasure; they will give him weight and worth as a member of society; and be a never fading source of honourable, virtuous and lasting enjoyments, under all circumstances and in every station of life. They will preserve him from the delusions of dangerous errors and the seductions of degrading and destructive vices. The gambling table will not be resorted to, to get rid of ennui and tardy time, when the library offers a more attractive resource. The bottle will not be applied to stir the languid and listless mind to action and delight, when the magic of the poet is at hand to rouse the imagination, and pour its fascinating wonders on the soul. Such gifts, such acquirements, such sensibilities, will make their possessor a truer friend; a more cherished companion; a more interesting and beloved husband; a more valuable and respected parent. Must not the head of an enlightened family depend upon his moral and intellectual superiority for the best part of the submission and deference which are given to his authority. His children cannot shut their eyes and ears; and if, day by day, they are compelled to make comparisons by which he sinks into vulgarity and insignificance, how can they escape the influence with which such comparisons must affect them as observing and rational beings. As well might an habitual drunkard expect to conceal from the observation of his family the proofs of his intemperance, as an uneducated man to hide his ignorance.

Education is always respectable, and always useful; always a source of the most delightful as well as profitable pleasure. It opens for our employment and use the treasures of philosophy; history and poetry; of all that men have done and all they have thought. It brings to us the most profound speculations, the severest reason and the wild imaginings of the human mind. We learn from it, as the things of our own days, what man has been from the beginning, and what he is. We are taught his virtues and his vices; his powers and his weakness, in prosperity and adversity. We see him under temptations sometimes resisted with heroic cour-

age and enduring patience; and sometimes yielding to the first pressure without a struggle. From such models we may shape and fashion ourselves; by the force of such examples and the precepts and reflections which the good and wise of many ages have drawn from them, we may become better and wiser ourselves; we may strengthen the resolution of virtue; we may sharpen our sagacity, and improve our faculties of reasoning, discrimination and judgment. Is there any situation of life in which such lessons, such meditations, such results must not be of infinite importance and utility?

It has been truly said that "a man of well improved faculties has the command of another's knowledge; a man without them, has not the command of his own." This is the business of education—Of all these faculties we would assign the first place to the judgment. It is this which regulates the opinions and conduct of the individual on every occasion on which he is called upon to decide and to act. The memory, the reasoning power, the imagination should all contribute to inform and enlighten the judgment; and the judgment should be capable of deciding justly, truly and wisely on the whole case. To do this it must possess experience, exactness and vigour. It is abundantly clear, and the remark was made by a very acute observer of human nature, that a man who has been trained to think upon one subject, or for one subject only, will never be a good judge even in that one. The excellence of this faculty is formed by comparison, discrimination and a quick and certain perception of differences in things apparently alike to a careless observer. To make such comparisons, to acquire this power of perception and discrimination, we must have a full and various stock of ideas. If we have seen and thought but of one subject, and the few simple ideas that belong to it; if the mind has every day travelled in the same narrow circle of observation and reflection, how can the faculty of judgment be exercised, enlarged or strengthened? What opportunity is afforded to it for comparison, for discrimination, for deciding between one thing and another. It must become palsied by disuse and blinded by darkness. The simple and unvaried process of an occupation which, in its daily exercise, is but the repetition of the same or similar details must finally extinguish the perception and destroy the vigour of the judgment. To give it health and strength, it should be employed in various subjects; its own force should be put in constant requisition; its own efforts exerted; its resources brought into action. Let no one be the exclusive slave of any profession, nor trammel or benumb his faculties by a sole and undivided attention to one business, but let him spread his mental power over every department of human knowledge and genius. His excellence in his particular business will be thus promoted, and his resources enlarged and enriched. He will acquire the habit of seeing things clearly; of comparing without confounding them; of separating their various attributes, and discriminating their qualities. He will be enabled to dive into motives and interests, thus fixing the true character and estimate of human actions; and, judging of them with exactness, he will not be deceived.

The field for such exercises is found not only in the graver walks of philosophy, but throughout the department of general literature; history and poetry; in works of imagination as well as on the pages of historical truth. Human actions, real or fictitious, are portrayed with a master pencil; motives and interests are developed with a deep and searching spirit; principles explained and exemplified—All the springs and workings of passion, folly, and selfishness, are put in motion, and traced from their sources to their termination; from the commencement of their career to its fortunate or fatal conclusion. Who can study, for such books should be read as studies and not as amusing pastimes, the volumes of Shakspeare; of Milton; Addison, Johnson, Goldsmith, without rising from them with an immense

accumulation of new and useful ideas; without seizing important and interesting views of this "state of man;" of the human character and condition, and drawing sublime and penetrating lessons and examples of every virtue and every vice. Who that takes these things seriously to heart will not become a better and wiser man. What heart, not deadened and torpid as frozen clay, does not throb with unspeakable sensibility, at the scenes which pass before it; whose soul does not swell and expand with the consciousness of the power and dignity of the genius of man; and whose thoughts are not thus elevated to contemplate *himself* as a being intended for higher and purer pleasures than sensuality can bestow. *Go to your lesson*—if ambition is gnawing your heart.—See how the lust of power has transformed others into demons of blood and destruction; and be content to be loved and respected, rather than to be hated and feared. The creations of fancy do not move me more than the vivid and strong representations of history.—Who can peruse the volumes of Hume and Gibbon, without being filled with the mighty subjects of their pens? I speak of the political facts and transactions they narrate.—What a thirst for something more oppresses the heart? How all the elements of the soul effervesce? How every faculty is strained, and labours to understand every action, every motive and interest of the great actors in the scene; to discriminate and decide between them, to approve or condemn.—It is when we are worked up to this state of excitement by contemplating the deeds of man, we feel and know that man must be immortal; for the deeds themselves, and the spirit that records them, bespeak a being whose powers extend beyond this world. Such minds were not made; such capacity was not given, to deck the life of an ephemeron; nor to be exhausted for the amusement or use of creatures whose being will terminate after a short and fretful existence. Let the man who presumes, on some shallow sophism, to *doubt* on this subject, for *disbelieve* he cannot, look well to it.—Let him answer me, if his reason, in which he confides so much, can be satisfied with the belief, that a being with such miraculous gifts and faculties can perish like the worm he treads on?

But my purpose, from which I have wandered for a moment, is to impress upon you the necessity of exercising your judgment on various subjects of inquiry, in order to improve it in your particular business, whatever it may be; and to eradicate a false and dangerous error, that a man engaged in one occupation need not extend his knowledge beyond it. Judgment, in its most extended sense has been defined, by Montaigne, to be "a master principle of business; literature and talent, which gives a person strength on any subject he chooses to grapple with, and enables him to seize the strong point of it."—How unusual then is its application and use! How infinite its importance to every man in every situation.—It is the great teacher of our opinions; the guide of our conduct; the arbiter of what is fit or unfit; prudent or imprudent; safe or dangerous; profitable or injurious. When then should we begin to acquire and make perfect this "master principle?" When should that education commence its work which is to give to the mind that quickness of sight, that vigour of action, and exactness of comparison, which constitutes Judgment. It must be done in early life, or it never will be well done. Except in a few extraordinary cases, the education of a youth is so far completed before the age of twenty years, as to have fixed his leading principles: fashioned his habits and given a direction to his faculties, at least, in a sufficient degree to affect, if not decide his character and standing in life. Every portion of this eventful period has some influence on his ultimate destiny. Day by day he forms opinions; he adopts tastes; he establishes maxims; he surrenders himself to theories; he accumulates prejudices, all of which, if not furnished and governed by a sound and enlightened instruction; by wise teachers and just models, will lead

him into a thousand errors, perhaps into incurable vices, to be the bane of his life; the destruction of his happiness, character and usefulness. It is to your libraries you must look for these excellent and approved teachers and models.

In directing your attention to books for knowledge; in earnestly pressing upon you to consult with assiduity, the great oracles of wisdom and taste, whose works have endured through many generations, receiving their successive sanction, you must not understand me to recommend that you should content yourselves with learning by rote their reasoning; or adopting, without examination, their opinions. Indeed if every opinion uttered were true and every argument logical and sound, you would by a servile acquiescence in them, obtain but a part of the uses of reading and study. You might become possessed of a large and rich stock of facts; of many true and excellent deductions from them; of just and elevated sentiments, and sublime imaginings; but they would lie on your memory as in the books from which you derived them, unless by the exercise of your own understanding, you make them your own. You must pass them into the circulation of your own thoughts; test them by your own experience, and apply them to practical use. If you suffer the knowledge you have obtained from your books to rest upon the memory as it came there, it might as well, for any practical purpose, have remained on your shelves, to be taken down, as occasion might demand. The food we take into the stomach will contribute nothing to our nourishment, health and strength, unless it be digested, and, passing into the different parts of the body, become part of ourselves—without this process and distribution it is rather a weight upon the organs of life; an oppression upon the elasticity of the system. So it is with learning remaining on the memory in the crude masses in which it was received. Reflection is the digestive power of the mind; by this we prove what we have read and heard; we separate it into its various parts; we modify conclusions that are too strong; we narrow principles that are too universal, and extend those that are too much restricted, to new objects and relations. We select and retain what is good and valuable, and reject the unsound and unprofitable. We thus extract from that we have learned from others, all its nutritious juices; we strengthen and enrich the soil of our own intellect; making it capable, in return, of producing fruit and food for others.

Another evil consequence of depending wholly on authority for our opinions on all subjects, and shrinking from the use of our own understanding, is, that we remain in a mental, helpless childhood, all our lives; becoming indeed more timid and servile than children. We lose all, the most modest confidence in ourselves; we give up that independence of thought and action, which is the noblest privilege of a rational being—we sink into mere machines, automata, worked by a thousand springs and wires, drawing us sometimes in one direction and then in another—we fear to move a step without our leading string; or to speak not "in verbo magistri." The perceptions and conclusions of our own judgment are altogether neglected and disregarded; and we refer perpetually and often absurdly, to what has been said or done on the question a century or more ago. Such readers may be truly called *Book-worms*, who devour words, but never touch an idea. The faculties bestowed upon us by nature are of no other use than to register the judgments of other minds; and where we have no such authority at hand, we stand, lost, confounded and unable to advance or retreat. We decide nothing for ourselves; the will becomes torpid by inaction, and, like a palsied arm, can be moved only by extrinsic force.—Who would expect to make his limbs and muscles strong, active, and adroit, without exercise and a constant application of them to their uses? or hope to excel in athletic feats by studying, without practising, the means and preparations employed by the great mas-

ters of the art. It has been well said that "although we may be learned by the help of others, we can never be wise but by our own wisdom." The practical application of knowledge will make us wise; we thus enlarge our views of every subject that is interesting to us as individuals, or parts of the great family of mankind; we multiply our ideas; correct errors; erase prejudices; purify our principles, and settle down upon the everlasting foundations of truth in all things. This is the true use and value of all we can acquire and know from the examples of the great, or the lessons of the learned. If we make not this use of it, it is worthless lumber; or, rather the source and aliment of pride, selfishness and conceit. It produces in us pedantic dullness and ridiculous ostentation; it unfits us for social intercourse and rational recreation, and makes us disagreeable companions in all the relations of life. You all know, for volumes of calumnious travels and sarcastic journals attest it, the contemptuous arrogance with which those who envy and those who hate our country, delight to revile us, as a sordid, groveling, degenerate race, having no ambition but to accumulate wealth, and no pleasure but in the ostentatious display of it, and the sensual gratifications it can procure. That, sunk in ignorance, we are fit for nothing but labour, and desire nothing but its gross and golden returns. This is a malignant slander not to be answered by words. It is by our deeds we must expose and refute it. It is by associations like that I have the honor to address, which in their formation exhibit a nobler emulation and loftier aims than avarice can dream of; and in their consequences, an extent and variety of information, which will put to shame, in the face of the world, the slanderer & those who have believed him. It is from you, your country demands this redemption of her honor; this justice to her fame. You must purify her from defamation, and become her irresistible advocates, *by your example*. Assert her claims to the same glory and distinction, in the intelligence of her people, which she assuredly enjoys by the pre-eminence of her political freedom and individual happiness. I enlist every one of you in this honest, honorable war; it is a good fight, in the cause of truth and your country, and you must conquer, not by violence and retorted vituperation, but by those evidences of moral worth and cultivated talents, which it will be vain to deny, and foolish to oppose.

Do not permit yourselves to doubt that the refinements of education are altogether compatible with the pursuits of commerce, and the duties of the counting house; nor believe, that the man who limits his efforts to be a mere merchant, has any better chance of success, than he who softens the labours and anxieties of trade by the pleasures of learning, and the charms of genius. You have among you many living examples of the happy union of business and literature, eminent for their success in both.

*You are Merchants*—but remember that you are something more than this. You do not live in a land of nobles and privileged classes, who might hold you in a subordinate station. You are *Citizens of the United States*; members of a great and growing republic, where there are none greater than you, but as their talents, their knowledge, their virtues, their industry, their usefulness, may make them so. The whole field of human honour and distinction is spread before you. Be prepared to enter upon it; be ready and able to sustain the duties your country may impose on you, in any department of service. You are *American Gentlemen*, and should be wanting in none of the accomplishments which belong to that exalted character. Let me earnestly entreat you, especially my young fellow citizens, to feel it, deeply to feel it, to be your highest temporal duty, to emblazon the fame of your country, to increase her stock of intelligence and moral worth, and to make her the chosen land of *Virtue, Knowledge, and Independence*.

## CANAL NAVIGATION IN PENNSYLVANIA.

Lewistown, Penn. Nov. 5, 1829.

PACKET BOAT "JUNIATA."—On Thursday last this boat, built by *Joseph Cummins*, Esq. of Mifflintown, arrived at this town from Mifflin; having on board a large party of ladies and gentlemen from the lower end of the county.—The boat was met at the head of the Narrows by a large party of ladies and gentlemen from Lewistown, accompanied by the Lewistown Band; who got on board the packet, and landed here about two o'clock, P. M. About four o'clock, the company from Mifflin, after having taken dinner, and a number of ladies and gentlemen of Lewistown, embarked on board the packet and returned to Mifflin that evening; remained there all night, and the next day returned to Lewistown with the view of conveying the members of the Legislature who had, by a publication in the papers, been invited to pass through the canal to the mouth of the river; but in consequence of a letter having been received by Mr. Clarke from Mr. Craft, of Pittsburg, one of the western members, stating that the members from the west would be on on Saturday, the boat was detained until about half after three on that day, when several of the members, consisting of Mr. Brown, of Allegheny and Mr. Fox, of Indiana, Jefferson, &c. &c. of the Senate, and Mr. Craft, of Allegheny, Mr. McQuaid, of Westmoreland, Mr. Blair, of Huntingdon, Mr. Galbraith, of Venango, Mr. Petriken, of Centre, and Mr. Cummin, of this county, who afterwards joined them at Mifflin, of the House of Representatives; with Mr. Vincent, an Engineer from the west, and a number of strangers and citizens of Lewistown, got on board the boat, which was drawn by two elegant large, white horses, when she set off in fine style with the "star spangled banner" flying at her head, and amidst the roar of cannon, the shouts of the populace, and the cheering music of the band which was on board.

Previous to the boat having arrived at the first lock, it was understood that Mr. Clarke had intended to name all the locks to the mouth of the river in presence of the members. Learning this, a number on board appointed Mr. Brown, the venerable Senator from Allegheny, he being a western member, to take advantage of Mr. Clarke, and to name the first lock the "James Clarke" as a testimony of the confidence which the company reposed in his wisdom and integrity, as the faithful friend of internal improvement. As soon as the boat entered the chamber; Mr. Brown called the attention of the company, and addressed them as nearly in the following words, as we can recollect.

"Friends and fellow citizens:—The canal on which we are now floating, is a part of the grand system of internal improvement, which is calculated to make every Pennsylvanian proud that he is a PENNSYLVANIAN. This branch of improvement, fellow citizens, will have a tendency to strengthen the bonds of friendship which have heretofore so happily existed between the citizens of the Eastern and Western sections of the state."

"To no individual are we more indebted for this happy result than to James Clarke, Esq. Acting Commissioner on the Juniata Division of the Pennsylvania Canal—he has laboured with judgment and zeal in the cause of internal improvement from the commencement to the present time, and I am happy to hear the citizens of this county express a desire to give the Canal Lock immediately below Lewistown, the name of the worthy citizen who has done so much to accomplish this happy result. Therefore, all who are in favor of this lock being named the "JAMES CLARKE," will please to say "Aye," which was unanimously approved of by the acclamations of the people.

The day was rainy, and there was a dense fog between the mountains, which made it quite disagreeable for persons to remain on deck; but so desirous were the members to view the magnificent work through the narrows, that they exposed themselves to the weather,

disagreeable as it was. The boat arrived at Mifflin by the time the night had gotten quite dark. At that place the people had assembled from a considerable distance in the country to witness the novelty of the first boat passing upon the canal; the crowd was stationed on front street, and on a high bridge across the canal, which is intended to connect with the bridge across the Juniata. Here they had a handsome transparency, which gave a brilliant view of a canal boat on one square, and on the others, was the following inscription in large letters:

In honour of JAMES CLARKE, Esq. whose industry and perseverance in the cause of Internal Navigation, entitle him to the warmest thanks of the citizens of Mifflintown.

The company on board disembarked, and marched with the crowd into the town with the *Transparency*, which afforded a very brilliant light, and music in front; when all quietly dispersed without a single disagreeable occurrence.

#### METEOROLOGICAL TABLE.

According to Fahrenheit, in the shade, the temperature of the weather at Mauch Chunk was as follows during the time specified.

| 1829.<br>OCTOBER. | Before 7, A.M. | Noon. | Sunset. | Depth of Rain<br>inches. |
|-------------------|----------------|-------|---------|--------------------------|
| 1                 | 39             | 51    | 51      |                          |
| 2                 | 28             | 61    | 55      |                          |
| 3                 | 35             | 61    | 59      |                          |
| 4                 | 48             | 56    | 52      | .12                      |
| 5                 | 42             | 54    | 52      |                          |
| 6                 | 32             | 60    | 58      |                          |
| 7                 | 32             | 69    | 60      | .23                      |
| 8                 | 55             | 55    | 56      | .51                      |
| 9                 | 38             | 57    | 53      |                          |
| 10                | 34             | 58    | 58      | .42                      |
| 11                | 53             | 58    | 59      | 1.20                     |
| 12                | 49             | 55    | 49      | .43                      |
| 13                | 33             | 56    | 51      |                          |
| 14                | 31             | 59    | 57      |                          |
| 15                | 36             | 63    | 63      |                          |
| 16                | 37             | 69    | 62      |                          |
| 17                | 38             | 68    | 65      |                          |
| 18                | 51             | 61    | 60      | .04                      |
| 19                | 55             | 58    | 60      | .26                      |
| 20                | 40             | 50    | 45      | .12                      |
| 21                | 30             | 45    | 39      |                          |
| 22                | 17             | 45    | 42      |                          |
| 23                | 30             | 54    | 58      |                          |
| 24                | 56             | 67    | 64      |                          |
| 25                | 57             | 68    | 67      |                          |
| 26                | 59             | 56    | 52      | .28                      |
| 27                | 29             | 51    | 47      |                          |
| 28                | 26             | 52    | 48      |                          |
| 29                | 42             | 56    | 53      |                          |
| 30                | 48             | 59    | 55      | .50                      |
| 31                | 46             | 48    | 43      | .50                      |

Before 7—1246 is the number of degrees of the Thermometer during the month.

Days.

1246 ÷ 31 = 40 + before 7.

1780 ÷ 31 = 57 + at Noon.

1693 ÷ 31 = 54 + at Sunset.

3)151(50—Mean average per day, during the month of October. The quantity of Rain that fell, 4.61.

#### Appointment by the Governor.

CHARLES H. WILLIAMS, of Leighton, to be a Justice of the Peace for the township of East Penn, in the county of Northampton.

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### SWEDISH DOCUMENTS.

To the Counsellors of the Kingdom and of the Chamber touching the appropriation granted to the Governor of New Sweden.

Stockholm, Aug. 30, 1642.

Christina To the liege subjects & respective members of the kingdom, and of the Chamber of finance greeting. As we have appointed Lieutenant Colonel John Printz, Governor of New Sweden, and have judged proper to give him soldiers and officers to assist him in discharging fully the duties of his station, and as we have arranged a certain appropriation for the support of his troops and their annual pay, as you will perceive by the copy hereinto annexed; We therefore desire and command that you follow exactly our said resolution and regulations, and in regulating the rank of persons and their wages, to observe that each of our soldiers and others employed in New Sweden, receive his support according to the foregoing appropriation—such are the orders you have to execute. We recommend you to Almighty God.

#### Appropriation.

According to which the Government of New Sweden is to be paid and supported per month, viz:

|  | Rix Dolls. | Rix Dolls. |
|--|------------|------------|
| 1 Governor                             |            | 800        |
| (half from excise and half in silver.) |            |            |
| 1 Lieutenant Governor                  | 16         | 192        |
| 1 Sergeant Major                       | 10         | 120        |
| 1 Corporal                             | 6          | 72         |
| 1 Gunner                               | 8          | 96         |
| 1 Trumpeter                            | 6          | 72         |
| 1 Drummer                              | 5          | 60         |
| 24 Soldiers at 4                       | 96         | 1152       |
| 1 Pay Master                           | 10         | 120        |
| 1 Secretary                            | 8          | 96         |
| 1 Barber                               | 10         | 120        |
| 1 Provost                              | 6          | 72         |
| 1 ———                                  | 4          | 48         |

185 3020

Appropriation for the aforesaid Envoy, viz:

The Governor John Printz upon the ordinary revenue of East Bothnia, according to the letter of the Chamber dated ———

600 Dolls. of silver making in Rix Dolls. 400

Excise upon Tobacco coming from New Sweden 2620

Total.

Rix \$ 3020

PETER BRAHE,  
HERMAN WRANGEL,  
CHARLES FLEMING,  
OXEL OXENSTIERNA,  
GABRIEL BENGSSON,  
OXENSTIERNA,  
ANDW. GYLDENKLAU.

Letter of recommendation for John Papegoyo to the Governor of New Sweden, John Printz.

Stockholm, Nov. 2, 1643.

Christina To the Governor, John Printz, Greeting: The bearer of this letter John Papegoyo, who some time since came from New Sweden, being disposed to return there in one of our vessels having humbly offered to render you on our part, and upon the spot good and faithful services, we have not been willing that he should depart, without referring him to you recommending you graciously to employ him in those affairs to which you may think him adapted, and to give him as much as will be possible and reasonable your protection in order to his advancement, by which you will accomplish our will—and we recommend you to God, &c.

Given as above.

PETER BRAHE,  
OHEL OXENSTIERNA,  
GUSTAVUS HORN,

C. GYLDENHIELM,  
G. OXENSTIERNA,  
A. GYLDENKLAU.

*Donation to Gov. John Printz of Teneko or New Gottenburg in New Sweden, as a perpetual inheritance for him and his lawful heirs.*

*Stockholm, Nov. 6, 1643.*

We Christina &c Make known that as grace and particular favor, on account of the long and excellent services, which the Lieutenant Colonel and Governor of New Sweden, our very dear and beloved John Printz, has rendered to us and to the crown of Sweden and also on account of those which he is daily rendering to us in the government of the country and which he is engaged to render us as long as he shall live, we have given and granted, and by virtue of this letter patent do give and grant to him the said John Printz and his lawful heirs, the place called Teneko or New Gottenburg, in New Sweden, to enjoy it, him and his lawful heirs, as a perpetual possession. In regard to which, accordingly let them regulate themselves, who owe to us submission and obedience, and whose desire and duty requires them to fulfil our will, especially those who may in future, be appointed to re-place him in said situation not giving to the said John Printz or to his lawful heirs any obstacle or prejudice in any manner, whether now or hereafter. In faith of which, &c.

Day and year above.

PETER BRAHE,  
A. OXENSTIERNA,

GUSTAVUS HORN,  
CHARLES FLEMING,  
G. OXENSTIERNA.

*Reply to the letter of John Printz commander at New Sweden.*

*Stockholm, September 16, 1647.*

Christina Greeting &c We have, Commander John Printz, received your letter dated New Gottenburg, 20 Feby of this year, and by it as well as by the reports which have reached us, we have been completely informed of the nature and actual condition of New Sweden, as also respecting the progress of cultivation, and the construction of dwellings in that country. Now, as all this information is infinitely agreeable and as we have remarked with a particular satisfaction the zeal, skill, and activity with which you have filled your station of Commander; we assure you, that we shall preserve you in memory, and reward your zealous and faithful services with all our royal favor. As to your particular request relative to an augmentation of apportionment and also that we would deign to confer on you certain lands and occupations; we wishto reflect upon the means of arranging it by some augmentation of salary, and if the lands which you ask have not been given away and they are not required for the cavalry or soldiers, & the business having been examined in our chamber of finance, we shall be well disposed to grant you what is just, not doubting that as you have to the present time manifested your zeal and fidelity for our service and that of the country, you will continue to act with the same zeal and fidelity not regarding it too difficult and fatiguing to regulate and direct for some time yet, the establishments of New Sweden, until we shall find another person whom we can send to re-place you. This is what we wish you to be informed of, which God &c. Given as above.

CHRISTINA.

NILS FUNGEL.

*New Township.*—The south-western part of the township of Dallas in this county, has been set off as a separate township, and is to be called LEHMAN, in honour of William Lehman, Esq. who while a member of the legislature of this State, distinguished himself as the able and indefatigable advocate of the internal improvement system.

*Luzerne Herald.*

## RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 273.*

May 3, 1754.—Letter received from George Washington to Gov. M. stating, "It was with the greatest concern he acquainted him that Mr. Ward, ensign in Capt. Trent's company was compelled to surrender his fort in the Forks of the Monongialo on the 17th, to the French, who fell down from Weningo (Venango) with a fleet of 360 battees and canoes, with upwards of 1000 men, and 18 pieces of artillery, which they planted against the fort, drew up their men, and sent a summons to Mr. Ward, who having but an inconsiderable number of men, and no cannon to make a proper defence, was obliged to surrender: they suffered him to draw off his men and arms, and working tools, and gave leave that he might retreat to the inhabitants. I have heard of your honor's great zeal for his majestie's service, and for all our interests on the present occasion. You will see by the inclosed speech of the Half King's, that the Indians expect some assistance from you: and I am persuaded you will take proper notice of their moving speech, and of their unshaken fidelity. I have arrived thus far with a detachment of 150 men. Col. Fry, with the remainder of the regiment and artillery, is daily expected. In the mean time we advance slowly over the mountains, making the roads as we march fit for the carriage of our great guns, &c. and are designed to proceed as far as the mouth of Red Stone Creek, which enters Monongialo about 37 miles above the fort taken by the French: from whence we have a water carriage down the river. And there is a store house built by the Ohio company, which may serve as a receptacle for our ammunition and provisions. Besides these French that came from Weningo, we have credible accounts that another party are coming up the Ohio. We also have intelligence that six hundred of the Chippeways and Ottoways are marching down Scioto Creek to join them. I hope your honour will excuse the freedom I have assumed in acquainting you with these advices. It was the warm zeal I owe my country, that influenced me to it, and occasioned this express." I am, &c.

The speech of the Half King was that they were ready to strike the French, only waited for assistance.

Governor Dinwiddie to Gov. H. Williamsburg.

April 27. "I cannot help observing that two proprietary governments distinguish themselves in this exigence by not contributing their assistance. Our forces are all marched to the number of 350; from N. Carolina 300 are on their way to join. I daily expect two independent companies from N. York, and one from S. Carolina: when called together will be near 1000 men.

May 7. A party of French praying Indians went to Virginia, and came back with a great many scalps, and four Indians, one whereof was the son of Col. Cresap. Said their father Onontio (French) had ordered them to do so. Governor H. recommends to assembly the union of councils in Indian affairs; and that they should enable him to instruct the Albany commissioners to agree on a plan. Troops sent out by Governor of Virginia to build two forts, and repel force by force.

May 14. Bill passed for striking bills of credit to the amount of £ 30,000, and granting 10,000 to the King's use, to be sunk by an excise in 10 years. Governor amended it to four years. House insisted. Gov. also insisted. House inclined to adjourn to 19th Aug. Message to Gov. that they granted a present to be given by the Albany commissioners.

May 30. Commission signed to the Albany commis-



sioners "to treat with the six nations at Albany on the 14th June, and ratify former leagues and make the presents provided by the Gov. and assembly.

June 2. Gov. H. to Gov. De Launcey. "It would have given me the greatest satisfaction could I have sent these gentlemen to you under instructions agreeable to your own plan, which I am convinced is extremely well calculated for his Majesty's service, and the interest and security of these colonies: and this I have not failed frequently to represent to the leading men of our assembly, in private as well as to the whole in public. But from the particular views of some, and the ignorance and jealousy of others, I have not been able to obtain from them any specific powers or advices in relation to this affair: and have therefore been obliged to content myself with giving them a general commission to renew the covenant chain with the six nations, and to frustrate as much as lies in their power any attempts which have been made to withdraw them from the British interest. I am in hopes, nevertheless, with you, that upon a full and free discussion of the state of the colonies at the treaty, something of general utility may be agreed upon, or that a candid representation of our condition may be made to his Majesty, and his interposition implored for our protection; since unless some proper measures be speedily taken, I can see nothing to prevent this very fine province, owing to the absurdity of the constitution and the principles of the governing part of its inhabitants, from being an easy prey to the attempts of the common enemy. Our assembly, after having met three several times to deliberate on the subject of the expedition to Ohio, at length presented me a bill for granting to his Majesty an aid of £10,000, and entrusted me with the disposal of it: and I pleased myself with the hopes of being able to employ it in such a manner as might have been serviceable to the *general interest as well as to our own safety*: but on perusal of the bill I found it so crowded with advantages to themselves and so entirely calculated to render them independent of the Gov. for a long term of time, that I could not consistent with my honour or the trust reposed in me, give my assent to it: and as, notwithstanding all I could say to them, they continued obstinately to adhere to the bill, I was to my great mortification, obliged to reject it, so that Mr. Dinwiddie is not like to receive any assistance from us for this year. Hence I am inclined to think they were more concerned to save appearances in regard to what his Majesty has been pleased to recommend to them, than to consult either the King's interest or the safety of the province; and further, that the progress of the French in possessing themselves of his Majesty's lands *will never be effectually opposed but by means of an act of parliament*, compelling the colonies to contribute their respective quotas for that service, independent of assemblies, some of which in this part of the world, are either so ignorant as not to foresee danger at the smallest distance, or so obstinate as to pay no regard to it but upon terms incompatible with all governments."

July 20, 1754. Accounts from Col. James Innis, of Virginia, dated Winchester, 12th July, that Col. Washington, with the Virginia regiment, and Capt. M'Kay, with the South Carolina independent company, consisted together of 400 men, of which a good many were sick and out of order. On the 3d July, the French, with about 900 men, and a considerable body of Indians, came down upon the encampment, and continued to fire from all quarters, from 11 A. M. till night; when the French called out to our people they would give them good conditions if they would capitulate. A capitulation took place between Capt. De Villier and the English troops at what was called Fort Necessity, by which the English were allowed to withdraw with all the honours of war, and all their arms and effects, except the artillery, and taking Mr. Vanbram and Mr. Stobo as hostages for the restoration of some Canadians and French alleged taken under M. Gremontville. The

attack was alleged in the capitulation to be not to disturb the peace, but to revenge the assassination of one of their officers carrying a flag and his escort, and to prevent any establishment on the territory of the King of France. After the capitulation the French demolished the works, and in some time after retired to the Ohio. It was said we had 100 killed and wounded, and the French double the number."—Col. W. and Capt. M. told the writer there were many of our friendly Indians along with the French; sundry of which came up and spoke to them; told them they were their brothers; and asked them how they did; particularly Susquehannah Jack, and others that distinguished themselves by their names: it is also reported, that there were sundry of the Delawares there. We had not one Indian to assist when the action commenced or ended.

The previous action in which the French prisoners were taken, is thus stated by Governor D. in a letter to Governor M. Williamsburg, June 21.

"On the 27th of May, the Half King sent Colonel Washington notice that a party from the French army was hankering about his camp; if he would march some of his people to join them he did not doubt of cutting them off. Col. W. marched that night and came up to the Indians; one of the Indian runners tracked the Frenchmen's feet, and came up to their lodgment: they discovered our people about 100 yards distant; flew to their arms, and a small engagement ensued. We lost one man and another wounded. The French had 12 killed and 21 taken prisoners, who are now in our prison. The Indians scalped many of the dead French, took up the hatchet against them, sent their scalps and a string of black wampum to several other tribes of Indians, with a desire that they should also take up the hatchet against the French, which I hope they have done."

"I am very sorry your assembly is obstinate and disobedient to the King's commands. I had a thorough dependence on you for a supply of bread, the want of which puts me to great difficulties.

"I wish the bill for £10,000 supply had passed your upper house in any shape, as the exigency of our affairs so much want it. But you are the best judge of the clogs on the bill and the inconsistency thereof in regard to your instructions; which probably at this time you could have got passed with a saving clause to prevent its being a precedent for the future, would have been of infinite service. I hope you have represented this affair properly at home, that they may see what little dependence there is in assemblies in this part of the world, and really I hope the ministry will take some proper course to bring all the colonies into a proper sense of their duty."

(To be continued.)

#### TIOGA CANAL.

We hope shortly to be able to lay before the public the report of the Engineer, who is now actively engaged in surveying and levelling the ground for this important link in the chain of Internal Improvement. As far as the survey has already progressed, the most satisfactory evidences have resulted, both as to the favorableness of the ground for constructing a canal, and of the sufficiency of water for all the purposes of navigation. The lockage as is ascertained will be considerable; but this disadvantage, it is believed, will be more than counterbalanced by the facilities of excavation and the proximity and cheapness of stone and timber necessary for the construction of locks. By the aid of dams, the canal may be carried the whole distance from Blossburg to the state line, the two extreme points, along the flats or river bottoms, without a rod of rock excavation. Of the propriety, however, of shunning all the narrows, which will increase the number of dams upon the Tioga, with a view to lessen the expense, by

avoiding rock excavation, deep cuttings, &c. a difference of opinion exists.—Yet all who have examined the subject, agree in the main question, of the feasibility of making the canal, and of its great and lasting consequence to our own county as well as to the surrounding community.

A recent visit to Blossburg, and a personal inspection of the coal and ore regions, have produced, in our own mind, additional proofs of the immense value and importance of these minerals, as well as the necessity of combining every exertion to open a speedy communication for their conveyance to a market. Specimens of this coal have been sent to Albany, New York, and various other places, which have been pronounced by competent judges to be of the first quality, not inferior to the best Liverpool; and of the quantity being inexhaustible, a single doubt no longer exists. Visitors from all quarters have expressed the fullest conviction of this fact; and the recent opening of several pits has confirmed the most sanguine expectations in relation to it.—In one of these openings, into which we entered, and proceeded a distance of about 25 feet, the strata of pure coal is  $3\frac{1}{2}$  feet thick, and is found to increase in thickness as you progress into the mountain. From these openings, which are made on either side of the deep gully, penetrating the mountain at a right angle with the Tioga, and situated from half to three-fourths of a mile from Blossburg, the ground descends gradually to the river, affording every facility for a rail road, with a descent sufficient to propel loaded cars and draw up empty ones.—Openings have been made at other points in the mountain, some at a distance of a mile below Blossburg, all which go to show the extent and abundance of the article.

Considerable progress has also been made in the iron mines, and two furnaces, one of which is upon a large scale, are nearly finished, and will soon be in operation. The ore is said to yield from thirty to forty per cent. A number of miners are now employed, and considerable quantities of ore have been thrown out, ready for use as soon as the furnace shall be completed.

Blossburg, which a short time since presented to the eye of the traveller but a solitary dwelling house, built of logs, with a barn and shed of the same material, now contains not less than thirty buildings; including forges, mills, stores, workshops, &c. &c. either completed or in progress of building; several of which are large and commodious, and when finished, will present a handsome appearance. Nothing is wanted but the completion of the Tioga Canal, to render this place a second *Mauch Chunk*; and the din and bustle of business already experienced there, present a striking contrast to the silence which reigned in and about it, but a little time since, when the shrill screech of the owl or the howling of wild beasts, were almost the only sounds that saluted the ear.

The fullest confidence, both in the practicability and utility of this canal, being now entertained by the commissioners as well as others having an interest in the welfare and progress of improvement in this section of country, and the expectations of the public being raised to a high pitch as regards the speedy commencement and ultimate completion of the work; we may expect the most prompt and energetic exertion of those who are entrusted with its superintendence.—And we confidently indulge in the hope, that before the expiration of another season, the different sections will be under contract, and in a state of rapid progress towards a final completion. [Wellsboro' Phenix.]

## PROCEEDINGS OF THE LEGISLATURE.

### SENATE.

*Wednesday, Nov. 4.*—The following standing committees were appointed by the speaker.

Accounts—Messrs. Logan, Hunt, King, Hay and Morris.

Claims—Messrs. Scott, Ray, Sullivan, Blythe and Jackson.

Judiciary System—Messrs. Hawkins, King, Morris, Wise and Miller.

Militia—Messrs. Ringland, Hambright, M'Kean, Cunningham and Piper.

Banks—Messrs. Kerlin, Burden, Cunningham, Miller and M'Clure.

Education—Messrs. Burden, Fullerton, Fox, Hunt and Houston.

Road, Bridges and Inland Navigation—Messrs. Brown, Duncan, Powell, Wise and M'Kean.

Agriculture and Domestic Manufactures—Messrs. Powell, Ray, Reiff, Drumheller and Krebs.

Election Districts—Messrs. Reiff, Hambright, Jackson, Bertolet and Ringland.

Vice and Immorality—Messrs. Sullivan, Seltzer, Fullerton and Houston.

To compare bills and present them to the Governor for his approbation—Messrs. Hay, Scott, Bertolet, Drumheller and Blythe.

On Corporations—Messrs. King, Wise, Hunt, Jackson and Blythe.

Library—Messrs. Duncan, Piper and Burden.

*Thursday, Nov. 5.*—The petition of the Schuylkill Navigation Company, praying for alterations in their charter, was presented by Mr. Duncan, and referred to the committee on inland navigation.

WALTER S. FRANKLIN was re-elected clerk, and Lawrence L. Miner assistant. WILLIAM SHANNON Sergeant at Arms, and ROBERT DICKER door-keeper.

Welsh and Miller were elected printers of the English Journals, and Christian J. Hutter (three ballots) of the German. Cryder & Co. of the bills.

*Friday, Nov. 6.*—Bill reported, supplementary to an act, incorporating a company to make a lock navigation on the river Schuylkill. Item of unfinished business relative to providing by law for the sale of the real estate of an intestate by the sheriff, when the heirs have refused to accept the same at valuation, and where the administrators have refused to act or comply with the order of the court by giving the requisite security.

*Saturday, Nov. 7.*—Judiciary committee of the senate and house to confirm and report "a bill or bills, to consolidate, revise, and amend the penal laws of the commonwealth." Laid on the table.

*Monday, Nov. 9.*—Resolution relative to consolidation of the penal laws adopted.

### HOUSE OF REPRESENTATIVES.

*Wednesday, Nov. 4.*—Mr. Wilkins presented a petition for improving the navigation of the Monongahela.

Mr. Martin moved a resolution, regarding the postage of letters and documents to and from members, which was discussed and committed.

An item of unfinished business relative to dividing Pittsburg into four wards, was referred to members from Alleghany county.

Resolution to furnish two daily papers, or their equivalent, to the speaker and members, and to the clerks, sergeant at arms, and door-keeper, passed.

Standing hour for meeting fixed at 10 o'clock.

*Thursday, Nov. 5.*—A petition from Schuylkill Navigation Company presented, praying an alteration in the charter.

An item of unfinished business, relative to the Monongahela and Coal-hill turnpike road company, was referred to committee on local appropriations.

An item relative to incorporation of Moyamensing Bank, referred to committee on Banks.

On motion of Mr. Taylor, an item of unfinished business, relative to an act, to repeal an act, relative to the relief of the poor, was referred to Messrs. Taylor, Cox, Craft, Cummins and Dennison.

Resolution respecting postage of letters, adopted—"the postage account of each member to be entered on the Journal."

The following standing committees were appointed by the speaker.

Committee of Ways and Means—Messrs. Mallory, Leaming, Craft, Fuller, Laporte, Wagener and Patterson, of Washington.

Judiciary System—Messrs. Banks, Ellis, Moore, (Beaver,) Parke, M'Sherry, Workman and Evans, (Mont.)

Claims—Messrs. Middleswarth, Stemmer, Robinson, Ramsey, Carter, Myers and Buttz.

Agriculture—Messrs. Fuller, Lobach, Cummin, Landis, Hoffman, Cox and Knepley.

Education—Messrs. Parkhurst, Petriken, Thomas, Barlow, Morris, Anderson and Reed.

Domestic Manufactures—Messrs. Patterson, (Wash.) Geiger, Wagener, Griffith, Hamaker, Warner and M'Minn.

Accounts—Messrs. Alexander, Bahn, Byerly, Hawthorn, James, Kelchner and Newhard.

Militia System—Messrs. Frick, Doudel, Power, Matheys, Eneix, Stanley and Pettigrew.

Election Districts—Messrs. Matthews, (Cam.) Stouffer, Long, Black, (Greene,) Pugh, Linville and Mitchell.

Banks—Messrs. Martin, Tomlinson, M'Quaide, Evans, (Philad.) Black, (Perry,) Fisher and Middlekauf.

Estates and Escheates—Messrs. Waugh, (Wash.) Long, Heston, D. K. Miller, Miller, (Philad.) Rutherford and M'Conkey.

Bridges and State and Turnpike Roads—Messrs. Fetterman, Rehner, Statler, Workman, Beaver, Doudel and Lobach.

Corporations—Messrs. Wilkins, Hassinger, Smick, Barndollar, Ferguson and Ritter.

Inland Navigation and Internal Improvement—Messrs. Morgan, Dennison, Middleswarth, Power, Overfield, Moore, (Erie,) Bostress, Patterson, (Alle.) Blair, Galbraith, Sloan, Waugh (Mercer,) and Taylor.

Local Appropriations—Messrs. Petriken, Evans, (Philad.) Parkhurst, Middlekauf, Statler, Emlen and Parke.

Vice and Immorality—Messrs. Ramsey, Sellers, Bushfield, Ruhle, Pugh, Moore, (Erie,) and Evans, (Mont.)

To Compare Bills—Messrs. Byerly, Rehner and Purvance.

Library—Messrs. Ellis, Emlen and Anderson.

FRANCIS B. SHUNK was elected Clerk, Welsh and Miller printers of the English journals, and Jacob Baab of the German, and Cryder & Co. of the bills, on third ballot. JAMES SMITH, Sergeant at arms, THOMAS WALLACE, Door-keeper.

*Friday, Nov. 6.*—A petition from Fayette county, to open a state road from the Kiskeminetas salt works to the Virginia state line presented.

Certain contractors on the Pennsylvania Canal petition for Legislative aid. Petition for opening a state road from Connelville, in Fayette county, to a given point. Inhabitants of Washington county pray for aid to improve the navigation of Monongahela river. Inhabitants of Washington and Fayette counties, pray for incorporation of a company to erect a bridge over the Monongahela, at Brownsville. Committee on judiciary, to inquire into the expediency of amending the laws, relative to holding circuit courts, so as to effect a speedy decision of causes removed thereto. Also to inquire into the expediency of altering the laws regulating elections, so that naturalized citizens may be enabled to prove their right to vote in a more convenient manner than producing their certificate of naturalization. On motion of Mr. Ritter, the committee on education to inquire into the expediency of adopting a general system of education. Reference, relative to the erection of a bridge over the Loyalhanna river. Bill reported dividing Pittsburg into four wards. Bill reported for relief of certain volunteer militia. Memorial from Mifflin county, contesting the election of John Cummin.

*Saturday, Nov. 7.*—Message from the Governor, with communications from board of Canal Commissioners, re-

ferred to committee of ways and means. Petition presented for a state road from Connelville, to the Robbstown and Mount Pleasant turnpike road. Petition for a rail road from Phillipsburg, by Emigh's gap, through the valley of the Little Bald Eagle and Little Juniata, to Alexandria, in Huntingdon county. Petition praying for compensation for lands in Luzerne county, certified to Connecticut claimants. Petition for aid to improve the navigation of the Monongahela river. Resolution adopted, requesting the Governor "to ascertain from the monied institutions that have taken the temporary loan, and ascertain whether they will consent to continue the said temporary loans, upon the same terms they were originally made, for a further period of time, and to be paid out of any permanent loan hereafter to be made." Resolution laid on the table. Judiciary committee to inquire into the expediency of so altering the orphan's court laws, as to exonerate the executor or administrator of deceased persons, after a final settlement of accounts. Leave obtained to bring in a bill to regulate the general elections—special committee appointed. Items of unfinished business referred, viz: relative to an academy in Le Raysville; to making a turnpike from Blair's gap, through Sinking Valley, Birmingham, &c. to Bellefonte; relative to declaring East Sandy Creek a public highway. Message referred to different committees. Committee appointed to try the contested election of John Cummin.

*Monday, Nov. 9.*—Petitions presented, viz:—From inhabitants of Washington Co. praying that the fee bill of 1814 may be re-enacted, so far as relates to the justices of the peace and constables in that county—of Alex'r Wright, praying that certain monies paid by him into the state treasury for lands covered by warrants of the population committee, be refunded—a committee appointed to bring in a bill, relative to the duties of supervisors of public highways in Centre, Venango and Northumberland Co.'s. Items of unfinished business referred, viz. relative to hawkers and pedlars—to making a turnpike from Shippensville to M'Caslin's ferry—to declaring part of the E. branch of Oil creek a public highway—to erecting part of Mifflin co. into a new county to be called *Juniata*—to erecting a bridge over the Youghagany at Robbstown—to authorizing David Noble, &c. to construct a canal or railway from the head waters of Wallenpaupack to the Delaware Water Gap—to incorporating the Tionesta Manufacturing Co.—The following bills were reported, viz. authorizing a state road from Connelville to intersect the Mt. Pleasant and Robbstown turnpike—authorizing a temporary loan for continuing the Pennsylvania canal and rail road, which was made the order of the day for Tuesday—establishing an academy at Raysville—declaring E. Sandy or a public highway. The resolution relative to altering the Orphans' Court Laws adopted. Committee of the whole sat and made progress on the bill for dividing Pittsburg into 4 districts.

HARRISBURG, Saturday, Nov. 7.

The Governor sent the following message to the two houses:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen—I have the honor of transmitting you a copy of certain resolutions adopted by the board of canal commissioners, together with a condensed statement of the reports of the acting canal commissioners and superintendents respecting the amount due on their respective lines as also the probable estimates of the amount wanted to meet the demands on said lines to the 2d day of January next.

J. ANDREW SHULZE.

Harrisburg, Nov. 7th, 1829.

Canal Commissioners' Room, }  
October 6, 1829. }

Resolved, That the acting canal commissioners and superintendents be directed to report to the president of

this board, on or before the 25th of the present month, the amount then due on their respective lines and an estimate of the additional amount that will probably be wanted to meet the demands on said lines to the 2d day of January next.

Resolved, That the president of the board be requested to communicate to the Governor as soon after the 25th inst. as practicable a condensed statement of the reports of the acting canal commissioners and superintendents made in conformity with the above resolution. Extract from the Journal.

F. R. SHUNK, Secretary.

His Excellency Gov. SHULZ.

SIR—I have the honor of communicating to your Excellency the annexed condensed statement of the report of the acting canal commissioners and superintendents made to me in obedience to the first preceding resolution. Very respectfully, sir, your obdt. servt.

DAVID SCOTT,

President B. C. C. Penn.

Wilkesbarre, Nov. 2, 1829.

*Delaware Division.*

Amount due 15th Oct. 1829 \$91,669 23

Probable amount which will be wanted from this date up to the 2d Jan. next 110,000 00—201,669 23

*Eastern Division.*

Amount due 23d Oct. 26,666 00

Probable amount up to 2d Jan. next, 90,000 00—116,666 00

*Susquehanna & W. Branch Div.*

Amount due 21st Oct. 75,499 00

Retained percentage due in November and December, 15,286 00  
Probable am't up to 2d Jan. next 77,000 00—167,785 00

*North Branch Division.*

Amount due 20th October, 107,754 66

Prob. am't up to 2d Jan. next, 91,570 00—199,324 66

*Juniata Division.*

Amount due 22d October, 112,000 00

Retained percentage on old line, 45,000 00

Final estimate on do. 15,000 00

Repairs and labour yet to be done on do. 18,000 00

Estimate on new line Nov. 1, 40,000 00

Do. Dec. 1, 45,000 00

Do. Jan. 1, 50,000 00

325,000 00

Deduct cash on hand, 25,000 00—300,000 00

*Western Division.*

Amount due 23d Oct. 130,000 00

Prob. am't up to 2d Jan. next, 120,000 00—250,000 00

*French Creek Feeder.*

Amount due 15th October, 28,519 92

Prob. am't up to 2d Jan. next, 18,054 58—46,574 50

*Pennsylvania Rail Road.*

Amount due 21st October, 7,453 07

Retained percentage due 2d Jan. next, 7,593 00

Prob. am't up to 2d Jan. next, 45,000 00—60,046 07

\$1,342,065 46

Total aggregate amount now due and which will probably be wanted to meet the engagements of the state up to the 2d of January, 1830, one million three hundred and forty-two thousand, sixty-five dollars and forty-six cents.

*Factories in the Borough of Pittsburg, Northern Liberties.*

The last Pittsburg Gazette contains the following account of the Factories in the Northern Liberties of that industrious and rapidly improving town:—

The Phoenix Cotton Factory, owned by Adams, Al-

len, and Craft, has about 5,500 spindles in operation, with the necessary preparations—spins 7,000 lbs. yarn per week, and weaves 3,600 yards superior muslin. Attached to the factory, is a machine shop, where all kinds of cotton machinery are built to order. One hundred and seventy hands are employed.

The Franklin Cotton Factory, owned by Asa Waters, has about 1,600 spindles in operation spins about 1,400 pounds of yarn weekly: Cotton and Woollen machinery are also made to order at this factory. In this establishment the power is given by a steam engine, built by Mr. Stackhouse, about nineteen years ago, and runs as well now as it did the day it was first started. Forty hands are employed.

Waters' Shovel Factory manufactures 60 or 70 dozen shovels and spades weekly. Attached to this factory is a very extensive smith shop, where all kinds of smith work are done. Forty hands are employed.

Juniata Iron Works, owned by Peter Shoenberger & Sons, works up weekly about fifty tons of pigs and blooms, and employs seventy-five hands.

Juniata Nail Factory, owned by Shoenberger & Packard, manufactures about 30,000 pounds of nails weekly, and employs fifty-five hands.

Broadmeadow & Co's. Steel and File Factory, manufactures English blister steel, common American steel, and superior files.

McClurg & Co's. Foundry employs twenty-five hands. Cuthbert & Co's. Foundry employs twenty hands.

H. Brunot's White Lead Factory, manufactures weekly 600 lbs. of white lead, and employs ten hands.

B. McLennan & Co's. White Lead Factory makes weekly 600 lbs. of white lead, and employs ten hands.

M'Kee, Clark & Co's. Flaxseed Oil Factory, consumes annually 9,000 bushels best flaxseed, makes forty-five gallons of oil every twelve hours, and employs three hands.

John Gibbs' Chemical, Soap and Candle Factory, employs eight hands.

Besides these, there are two Boring Mills, Rope Walk, Tan Yards, and sundry Mechanical branches.

Beyond the limits of the Borough is Hurst & Brown's valuable Paper Mill, Messrs. Tilford's Domestic Plaid Factory, and Scholfield's Diaper and Coverlet Factory.

The Borough of the Pittsburg Northern Liberties has increased very rapidly these last two years. There is not less than 1,200 working hands in at this time.

*Manufactures of Iron in and about Pittsburg.*—Upon diligent inquiry, we learn that there are consumed annually, in the different Foundries, Rolling Mills, and Steam Engine Factories, in and about Pittsburg, six thousand tons of blooms and five thousand tons of pig metal. These articles are brought principally down the Monongahela and the Allegheny rivers. Last year considerable quantities were brought up from Ohio and Kentucky, and contracts have lately been made for a large quantity from Tennessee.

There are nine Foundries, which use about 3,500 tons of pig metal, and employ about 225 hands.

The Rolling Mills are eight in number, and are now chiefly employed in rolling Juniata blooms, of which they use about 6,000 tons. They also consume about 1,500 tons of pig metal, and employ about 320 hands.

There are nine Nail Factories, which manufacture daily about eighteen tons of nails, and employ about 150 hands.

There are also about seven Steam Engine Factories, in which are employed about 210 hands. As yet but three steam engines have been sent east of the mountains, four or five to the Northern Lakes, and one to Mexico. Within two or three years past, the casting of sugar kettles, sugar mills and small steam engines to drive them, for the planters of Louisiana, has become a very important branch of our manufacturing business, and is increasing.

In addition to the metal and blooms above mentioned, a large quantity of bar iron is brought to Pittsburg from Juniata. *[Pitts. Gaz.]*

### MISCELLANEOUS.

**Approach of Winter.**—On Wednesday night, the 11th inst. considerable ice was made in the gutters, &c. and on Thursday evening there was a fall of snow sufficient to whiten the roofs and pavements. This is the first snow this season. It appears by the papers that there was a similar fall of snow at New York on the 11th.

### DIVIDENDS.

|                     |   |   |   |    |           |
|---------------------|---|---|---|----|-----------|
| Commercial Bank,    | - | - | - | 3  | per cent. |
| Southwark Bank,     | - | - | - | 5  | do.       |
| Schuylkill Bank,    | - | - | - | 3½ | do.       |
| Philadelphia Bank,  | - | - | - | 2½ | do.       |
| Penn Township Bank, | - | - | - | 4  | do.       |
| Germantown Bank,    | - | - | - | 3  | do.       |
| Mechanics' Bank,    | - | - | - | 4½ | do.       |

Frankfort and Bristol Turnpike, \$1 per share.

**Lehigh Canal.**—We have daily accounts of new markets for Coal, and commerce of various kinds, resulting from the opening of this navigation. We understand that recently a quantity of Coal was sold at Easton to a gentleman for his own use at the Wind Gap of the Blue Mountain, where, but a year ago, a man would have been considered a fit candidate for a lunatic asylum to have predicted that Coal would ever have usurped the place of wood, in that wooden district of country. We also learn that the abundance of coal now lying at Easton, and the reasonable prices there sold for, has brought persons there to lay in supplies for the district along the Delaware: also, for forty miles in the interior of New Jersey. *Mauch Chunk Courier.*

### Canal Navigation in Pennsylvania.

It appears, by a letter in our paper to day, that the Canal is now ready for navigation from Lewistown to the mouth of the Juniata. We may therefore expect that the navigation will be open next spring from Pittsburg to Philadelphia, except about 100 miles from Blairsville to Lewistown. What effect will this produce upon the price of transportation from Philadelphia to Pittsburg?

From Pittsburg to Blairsville, by land, is forty-three miles, and carriage is eight dollars per ton.—By the Canal, the distance between the same places is seventy-three miles, and freight is two dollars and forty cents per ton. So that transportation by land costs at the rate of eighteen and three-fourth cents per ton per mile, while on the Canal it only costs three and one-third cents per ton per mile.

The probability is, that the freight on the Canal will be considerably reduced, but supposing it to continue as at present, we may make the following calculations:—The Canal reduces the land transportation, two hundred miles, and in its place substitutes three hundred miles of Canal Navigation.—Then three hundred miles on the Canal, at three and one-third cents per ton per mile, makes ten dollars per ton, and one hundred miles upon the turnpike, at eighteen and three-fourth cents per ton per mile, makes eighteen dollars and seventy-five cents per ton. Total from Philadelphia, by the canal and turnpike, twenty-eight dollars and seventy-five cents per ton. Again, from Philadelphia to Pittsburg by land, three hundred miles, at eighteen and three-fourth cents per ton per mile, is fifty-six dollars and twenty-five cents. Difference in favor of Canal and Turnpike, twenty-seven dollars and fifty cents. *[Pittsburg Gaz.]*

The CITY LOAN of 33,500 dollars, at five per cent per annum, was yesterday taken by one individual, at a

premium of five dollars and the one thousandth part of a dollar on the 100 dollars.—*Inquirer.*

Mr. Philip Stimmel, at the first tollgate below Harrisburg, Pa. on the Middletown road, has raised a pumpkin this season that weighs 170 pounds.

The bridge across the Susquehanna at Duncan's Island is so far finished that foot passengers cross upon it.

**The Canal.**—The business on the Canal is fast increasing. The packet boats are crowded with passengers, and the freight boats now arrive and depart heavily freighted. The *Gen. Merchand* departed for Pittsburg yesterday laden with merchandize from Philadelphia. This is the first merchandize transported west, on this section of the Pennsylvania canal. The difference between carriage by wagons and boats per ton, from this place to Pittsburg, is a saving of about six dollars in favor of boats.—*Harrisburg Chronicle.*

**CUSTOM HOUSE, Phil.** 10th Nov. 1829. The following abstract of a recent decision of the Comptroller of the Treasury, on a case involving the question of the right to drawback on merchandise, transported from Philadelphia to Baltimore, and vice versa, by the Chesapeake and Delaware Canal, is published for the information of those concerned: but it may be necessary to add, that merchandise brought to this district from another district, partly by land and partly by water, cannot be sent to a third district for the purpose of being exported for the benefit of drawback.

"The sense in which the term transported coastwise is to be considered, under the existing laws, is a transportation by navigable rivers as well as along the sea coast."

"When goods are taken by steam boats from and to the cities of Philadelphia and Baltimore, to the mouth of the Chesapeake and Delaware Canal, and there taken out and put on board canal boats, the change is not considered admissible in transportations for benefit of drawback, except in cases of distress."

"But where the voyage has the same points of departure and destination; and the goods are conveyed from and to the cities mentioned, without transfer from one vessel to another in the course of such transportation by the said Canal—such transportation by the said Canal will be considered as not having lost the right of drawback, provided all the other regulations prescribed by law shall be complied with."

**Large Radish.**—On Wednesday last, a radish, measuring 32 inches in circumference, and 14 inches in length, was dug up in the Poor House garden, near this borough.—*York Recorder.*

**Ever-bearing Strawberry.**—We were presented a few days ago, by our friend Mr. Samuel Iden, of Buckingham, with a plant of the Alpine Strawberry, on which were growing several ripe and unripe Strawberries.—We understand from Mr. Iden, that he has a number of the plants growing in his garden, which bear fruit constantly from the latter part of May until the frosts of autumn check their growth. The fruit is large and of a delightful flavor, and we have no hesitation in saying, if properly cultivated, would yield in as great abundance as our common kinds of garden Strawberry.

*Bucks Co. Intelligencer.*

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## BALTIMORE AND SUSQUEHANNA RAIL ROAD.

*Office of the Baltimore and Susquehanna  
Rail Road Company, Oct. 18, 1829.*

To the Stockholders of the Baltimore and Susquehanna Rail Road Company.

### GENTLEMEN:

Since the last Annual Report of the Board, a general meeting of the Stockholders was called on the 25th day of May, to consider what steps were then necessary to be adopted for the interest of the company. At that meeting the views of the board were submitted at large to the consideration of the stockholders, who, after a free consultation and interchange of opinion,

*Resolved*, That it was expedient to proceed forthwith in the construction of the road as far as the division line between Maryland and Pennsylvania. For the information of the Stockholders, a copy of its proceedings, together with the report of the board, is herewith submitted, and a careful consideration of the facts and arguments upon which the resolution was founded to proceed with the work, is respectfully requested from those who were absent upon that occasion—and others, who may now begin to feel an interest in the subject.

In pursuance of the resolution of the Stockholders, the board proceeded to a careful examination of the various routes, which had been surveyed and reported to the company by Gen. Swift; and also directed a particular survey to be made along the valley of Jones' Falls and Roland's Run to the head of the latter stream. The surveys and plots being returned, the board were placed in full possession of the whole subject, and with all the information necessary to a fair comparison of the various courses which had been designated for the line of the road—these were,

1st. The Turnpike Road from Baltimore to York.

2d. From the first bridge on the York road, along the valley of Jenkins' Run and Herring Run, to the source of the latter in Sater's Ridge, and thence to a point near the ten mile stone on the York Road, and and where the sources of Roland's Run and Deye's Run approach each other.

3d. Along the valley of Jones' Falls to the mouth of Roland's Run, and thence along the margin of that stream to the same point as the second route.

It is to be observed, that all these routes of the first division of the road from Baltimore, unite at the same place; which in any event must become the point of future extension of the road to the main Gunpowder, and thence to the Susquehanna river.—It was therefore only necessary at this time for the board to determine the actual route upon this first division, leaving the precise location of the road from that point for further and more minute examination and future decision.

A comparison of the three routes abovementioned, left no hesitation upon the mind of the Directors, that the one along the margin of Jones' Falls and Roland's Run was in every respect to be preferred over the others, uniting in itself greater facility of construction—abundance of stone and other materials—less expense in making it, and when finished, more permanency and

durability. The report of the Engineers will show in detail the comparative merits of the routes and the grounds upon which the opinion of the board is sustained. It is not necessary to state in this report all the facts which exist, in regard to the comparative advantages of the lines indicated by the surveys. It is sufficient to remark in regard to the first—*of the Turnpike Road*, that in order to render it practicable for the uses of a Rail Road, it will be necessary to break up the present bed, for the purpose of cutting down the elevations and filling the hollows and grading them to such slopes as could be profitably used on a rail road—these cuttings and embankments, from the nature of the country over which the turnpike passes, would form a series of inclined planes, and would require at least forty stationary engines to overcome the same number of elevations between Baltimore and the Susquehanna river. The cost of preparing the intermediate road between the inclined planes, would have been enormously expensive, and when to all these difficulties, you add the cost of purchasing out the proprietors of the present turnpike route, there could be no hesitation in adopting the opinion of Gen. Swift, in his report of 1828, "that any idea of constructing a railway upon the turnpike, must be abandoned."

The second line along the eastern side of the turnpike road, in the direction of Jenkins' Run and the western branches of the Herring Run, was found upon more close inspection to involve greater difficulties than had been anticipated. To enable the stockholders to judge between the comparative merits of these routes, it must be kept in mind that to attain the point of the first division of termination, it is necessary to pass the summit of Sater's Ridge, which is 478 feet above tide; to accomplish this object by a direct line along the turnpike has been shown to be impracticable, the next effort was to effect the same end by following the valleys of streams having their source in that ridge; this it was thought could be done by following the valley of Jenkins' Run to its head, thence to the first western branch of Herring Run to its head, thence to the second and third branches, whose valley reaches to the summit of the ridge. But it was found, that after passing Jenkins' Run, the branches of Herring Run, before-mentioned, rise from the slope of Sater's Ridge, and pursue a southeasterly direct on until they unite in the main branch. The ridges of land between these branches were found to present a surface of very considerable elevation, unbroken by any depression along which the road could have passed from one branch to another.—To pass these ridges, would have required a succession of deep cuttings exceeding seventy-five feet, or the use of stationary engines of immense power to overcome the various elevations. The whole distance by this route to the end of the first division, at the head of Roland's Run and David's Run, would be fifteen miles and a half.

The third or last route adopted by the Board, commences at the city boundary, on the west side of Jones' Falls, at an elevation of ninety feet above tide, thence along the western margin of that stream, to a point between Beatty's Powder Work and Pedee's Cotton Factory, about seven miles from the city, where it crosses Jones' Falls; thence along the eastern margin to Ro-



land's Run; thence up the valley of that stream to the head of Deye's Run. The whole distance is twelve miles, and the total elevation from the point of departure to be overcome, is two hundred and eighty-nine feet; and as Jones' Falls breaks through Sater's Ridge, this can be accomplished by a hill side excavation on the whole line upon a regular plane of twenty four feet to the mile, without any deep cutting whatever—and where it becomes necessary to blow off the projecting points of rocks, the demand for the stone in building culverts, reduces the expense to a level with common cutting. Upon these routes we encounter no extensive flats where heavy and expensive filling will be required, and the ravines which make into the Falls from the west, are short and precipitous, and consequently require but very narrow bridges or culverts to cross them.

The cost of the road on this line will be much diminished, from the circumstance of no distant removal of the earth being necessary; from the convenience and durability of the work when completed.

Having determined upon the route of the first division of the road, arrangements were immediately made for the commencement of the work, and the first stone was laid by the Grand Lodge of Masons in Maryland, with the usual ceremonies, on the 8th day of August last, it being the First Hundredth Anniversary of the City of Baltimore. Since that time the work has progressed steadily, and upon a system which experience shows, to be economical and judicious.

The plan which has been heretofore adopted in all public works of a similar kind, of letting it out by sections to contractors, was believed to be liable to many and serious objections. The intrinsic difficulty of being able to ascertain with any certainty or even an approximation to it, the price at which the sections ought to be let out to contractors, caused them in a great majority of cases to be let out at a price either above or below the actual cost at which the work could be done—in most instances where the contracts were completed, it afforded large profits to the contractor, and where they were taken at a price below the value of the work, the contract was given up or thrown back upon the company, in either case the company must be the loser, and in no event could it be a gainer—for these and other reasons which will suggest themselves to the stockholders, the Board determined to prosecute the work by means of superintendents under the immediate direction of the Company and its Engineers. By this means a uniformity in the construction, and discipline and order amongst the hands can be preserved. The certainty of punctual payment to the labourers at the end of the week, gives us a choice of the best and steadiest hands, who work cheerfully and constantly—and the result of the experiment upon the whole has fully justified the propriety of its adoption. So far as we have the means of judging by comparison, and the limited operations on our own road, there will be a saving of not less than twenty per cent. in this mode of doing the work, over the old mode of doing it by contractors.

In regard to the extent of our actual operations, we have to state that from the first stone it has extended to a distance of about three miles, and over a portion of the line which presents greater difficulties than are to be found on the first division, or perhaps on any part, of the road between Baltimore and the Susquehanna River; the stone quarries immediately beyond Stricker's Mill, and those opposite White's Mill, with some intermediate points of projecting rocks, presented obstacles exceedingly formidable in appearance, but in a very short time they have been nearly reduced to the level of the road, and a large portion of the stone consumed in the erection of piers for bridges, culverts, and parallel walls, to sustain the earth thrown from the hill sides—with the exception of a viaduct or bridge-way in front of the exhausted stone quarry above Stricker's

Mill, more than two-thirds of the work upon the first two miles and a half has been completed, at a cost which will justify us in placing the average cost of preparing the whole of the first division of twelve miles, including bridges, culverts, and all other structures, (except the viaduct at the large stone quarry, and the bridge across Jones' Falls) to receive the rails, at a sum not exceeding \$4500 per mile. Indeed, after passing the first three miles, the facility of the work is so great, and the difficulties to be encountered comparatively so few, that the road will reach the lime stone region at an expense and within a period of time which will surprise all who feel an interest in its success. The whole line of country presents a hill side, broken only by a few projections and indentations, and rising gradually to its summit at an elevation which to the eye, and even to the instrument, is little more than a level—it may indeed be said that in the practical operations of the road, the gentle inclination of it in the direction to tide water, (whence the heavy burdens will be transported,) affords an important advantage over a dead level.

These general observations will enable the Stockholders to understand the views of the board in the selection of the route for the road, the manner of its construction, and the general features of the country over which it is to pass.

The report of the engineer which is herewith returned, estimates the probable cost of making the road complete, for the first 12 miles, at one hundred and ten thousand dollars; the estimates are founded upon a careful examination of the work itself, and a comparison with the estimates and calculations of experienced engineers in other similar undertakings, and the experience which has been derived from the actual progress of those works.

We refer the stockholders to the reports and estimates heretofore made, of the probable income to be derived from the trade of the road, when completed as far as the limestone regions.

A more detailed estimate has since been made, which shows with as much certainty as can be given to any calculation, that the revenue upon this first division of the road would exceed \$25,000 per annum. This conclusion is drawn from the present state and condition of the trade, and upon the quantity of transportation now brought from that region of country to the city. The increase of this trade will probably be trebled in a few years by the facility of communication afforded by the Rail Road, particularly in the heavy articles of lime and marble, the cost of transporting which would not exceed one-sixth of the present charge. The Quincy Rail Road of nearly equal extent with the first division of the Susquehanna road, was made for the sole purpose of reaching the granite quarries, and has been found to afford a large profit upon the capital laid out in its construction; in addition to the superior value of our marble quarries, we should embrace the whole trade of the factories on Jones' Falls—the whole of the lime trade, and the produce of an extensive and highly cultivated country, beside a large number of passengers.

The resolution of the Stockholders at the general meeting in May last, contemplated the immediate completion of the road to the Maryland line, under the full conviction that before it should reach that point, the Legislature of Pennsylvania would have passed the charter, or a similar work would be undertaken by a company in Pennsylvania, and thus the original object of forming a communication with the Susquehanna would be effected. Nothing has occurred to impeach the correctness of this opinion—on the contrary, since the last session of the Legislature of that State, the citizens of York county have subscribed the capital of a Company to improve the navigation of the Codorus from York town to the river, which when completed, will leave a space of only eighteen miles between Baltimore and the Susquehanna to form a complete and perfect communication between the two points. Can any one

for a moment believe that such a barrier will continue to exist at the expense of the interest of a large portion of the people of that State, and involving a degree of folly and absurdity, which it would be an insult to attribute to any enlightened people and a just Legislature. The ties which bind the Susquehanna country to Baltimore, are too strong to be broken—local jealousies and prejudices may for a time prevail over just and sound views of State policy, but their reign will be but short, trade will seek and it will find its natural market, and any plan of improvement or system of legislation which seeks to divert or attempts to force it out of its natural channel, is not only unwise in itself, unjust to the community at large, but will in the end defeat its own object.

To look forward therefore, to the extension of the road to the Susquehanna river in the course of a short time, is natural and ought to engage the attention of the Stockholders. It is a subject which has constantly occupied the mind of the Board, and whose importance cannot be too much dwelt upon; laying aside their interest as citizens, anxious for the prosperity and increase of the trade of the city, and viewing it as mere stockholders who look alone to their individual interest and the revenue to be derived from the investment of capital, it presents the fairest prospect of certain and abundant returns of dividends upon the capital expended.

We have, heretofore, pointed out the nature and extent of the ascending and descending trade, which must find its way to and from the seaboard upon this road, and we refer the Stockholders to our former reports upon that head. But little has yet been said upon the profits to result to the Stockholders from the transportation of passengers alone, an item perhaps of equal if not greater importance than the transportation of produce and merchandise.

A brief examination will show that it must become the great line of communication not only from north to south, but from the east to the west, and in the end supersede all other modes of communication.

From Baltimore to York by the Rail Road will be about sixty miles, from thence to the Susquehanna river at York Haven, in a northerly direction, is ten miles, and from York to Columbia is the same distance: from Columbia to Philadelphia, is eighty miles, over which a Rail Road is now constructing by the State of Pennsylvania, and is to be extended to the borough of York. The whole distance by the Rail Road from Baltimore to Philadelphia will be but one hundred and fifty miles, and if it be conceded that passengers will prefer that mode of travelling which is safest and cheapest, and equally expeditious with any other that can be, or has been devised, it is manifest they will prefer the Rail Road route to any other. Supposing the highest rate of charge allowed by the charter, to be adopted, the cost of travelling 150 miles, at three cents per mile, would be \$4.50—but it would be fairer to put it down at two cents per mile, which would make the cost of a trip three dollars. The journey can be performed in safety, in a day and part of the night, in carriages affording every convenience or luxury that necessity or refinement could desire, affording at the same time the additional gratification of passing through one of the finest and most highly cultivated regions of country in the U. States. To these inducements for a preference of this route, may be added other attractions, which though of minor importance, will still have influence in the choice. Carriages of all sizes, and fitted up in every variety of style, to start at any hour, travel at any speed, and stop at any point to suit the convenience or pleasure of the traveller, will be at the command of all who desire them. All these considerations combined, surely present advantages, which, so long as men consult their interest, their comfort, and their safety, will insure in this mode of transportation a preference over all others that human ingenuity has ever yet devised.

We shall not attempt to estimate the amount or num-

ber of passengers per annum upon this route—or the immense increase of it which the facility of communication will produce. Not only the intermediate country occupied by a large, enterprising and increasing population—studded with flourishing villages and towns that are fast approaching to be cities, will send forth their thousands and tens of thousands, but the grand improvements of Pennsylvania, stretching to the north and the Ohio, will also pour down its active and busy people to the cities on the Atlantic border. The intercourse between two such places as Philadelphia and Baltimore is not to be measured by any estimate or fixed by any rule of calculation, neither is it necessary for our purpose to attempt to reduce it to any precise number. Let the Stockholder, who will take time to look at the subject which our limits will but permit us to glance at—suppose the travelling from the east, the west and the north to be one, two or three hundred thousand persons per annum, or any other number within the most limited estimate he may adopt, and then apply the charge for transportation at two or three cents per mile; the conclusion is no less astonishing than it is true, and the mind will naturally hesitate in adopting the result to which the facts and figures inevitably conduct him.

It is proper to state that since the last general meeting of the Stockholders, at which it was resolved to commence the work, the Board availed itself of the occasion of a meeting of the City Council to tender to them the stock allotted by the Charter for the Corporation—the joint committee of both branches reported, “that in consequence of the present being an extra session, and the subject before them one of such high interest to the City, and requiring a greater length of time than the session would allow, and being desirous of giving it that deliberation which it requires,” it was resolved that the subject be referred to the next annual session. The opinion of the City Council as expressed in their proceedings will no doubt insure a due consideration of the subject at the regular period for the meeting of that body. The intelligence and impartiality of the City Council may be relied upon with safety and confidence. If the views of the Board be correct, it will be found that the work in question is one not only of general interest to the community at large—but that each portion of it will derive a particular advantage from its operations. Approaching the City boundary on the north, and at an elevation of ninety feet above tide, it can with perfect facility be carried to any part of the City. To the *west end of the City* it can be conducted to the highest point at the public property, formerly the old Aims House. To the *centre of the City*, it can be carried down the valley of Jones’ Falls, at the junction of Madison street, and from thence on the eastern side of the Falls along the avenue laid out upon the City plot, down to the City block—from the same point (the junction of Madison street and the Falls) it can be carried along in a line with Madison street, or lower down towards the junction of Hillen and North streets, and from thence to the valley of Harford Run, and thence down that Run either upon its margin, or by a structure thrown over the stream, to its termination at the public property. So in like manner may a branch of the road be constructed from the point of intersection with the Harford Run, to the eastern part of the City by a line drawn from the point of intersection, and pursuing the eastern branch of Harford Run and the valley at the head of it to the ravine of Harris’ Creek, and thence on the western margin of that water to the basin.

All these routes are entirely practicable, and at a moderate expense, arising from the circumstance of the great elevation of the road above tide—there will be no deep cutting, tunnelling or filling, and but a single bridge to be thrown across Jones’ Falls, to accomplish the desirable object of terminating the Road at the most convenient and important points of the City.

These considerations cannot fail to have due weight in the deliberations of the City authorities, as they entirely remove all ground for local jealousies or sectional and conflicting interests between different parts of the City.

It cannot fail too, to suggest itself to the members of the City Council, that the Stockholders in this Company have embarked in a work admitted to be of great public importance and of high interest to the welfare and prosperity of the City—and that in the prosecution of this work, they are about to invest a capital of many hundred thousand dollars; they are, moreover, large holders of property, and pay into the Treasury of the City a large amount of taxes, equal at least to one-fourth of the whole amount of the annual revenue arising from direct taxation, and are thus made large contributors to the public stock in the great western road to which the City have contributed a subscription in stock to the amount of \$500,000.

Independently, therefore, of the nature of the work, and its identity with some of the most important interests of the City—it would seem, that a subscription to the stock of this Company, on the part of the Corporation, is no less the dictate of impartial justice than it is of sound policy.

The instalment called for upon the 15th of September, and payable on the 15th of November, will be sufficient for the purposes of the Company during the winter, and enables us to make the necessary preparation for vigorous and extensive operations early in the spring. From the experience we have had of the nature of the work, and the difficulties to be overcome, we are confident that the road to the limestone region can be finished and put into full operation in twelve months from this time. By order and on behalf of the Board.

GEO. WINCHESTER, President.

### CHESAPEAKE & DELAWARE CANAL.

The lively interest taken by the public in this great undertaking, led us to request an intelligent gentleman, well informed upon the subject, to prepare for us a more particular description of the work, which he has politely done, and which we have now the pleasure to lay before our readers.

*Village Record.*

The Chesapeake and Delaware Canal is something more than 13½ miles long; 36 feet wide on bottom and 60 feet at surface; is calculated for the passage of vessels drawing 8 feet water, the banks are however constructed to retain 10 feet of water; thus giving an *extra* which can be held up if required, and form, in connection with the summit level of the canal, a reservoir covering an area of over six hundred acres.

The other reservoirs formed by the ponds on the St. George's Creek, are owned by the company; the water which can be furnished by reservoirs, is calculated in the aggregate to be abundant for the passage of three thousand vessels, allowing each vessel to use two locks full of water; but it is supposed one third that number will be let down to the lower levels by the same water previously used in raising other vessels to the summit.

Admitting this calculation to be correct, the supply of water independently of assistance from summer showers or from St. George's and Broad Creek feeders, will pass twenty vessels per day for two hundred days.

The canal has two Tide and two Lift Locks, each 22 feet wide and 100 feet between the gates;—the summit level is 9½ miles long, and 10 feet above ordinary flood tide.

For convenience in executing the work, the canal was originally divided into 7 sections, and numbered from the Delaware harbour, westerly to the Chesapeake Tide lock, as follows:

|             |                   |                |
|-------------|-------------------|----------------|
| Sec. No. 1. | Less than         | 3-8 of a mile. |
| " 2.        | More than         | 5-8 do.        |
| " 3.        | Less than         | 3 1-2 do.      |
| " 4.        | Less than         | 3 1-2 do.      |
| " 5.        | or deep cut, less | 3-8 do.        |
| " 6.        | More than         | 1-2 do.        |
| " 7.        | Less than         | 1 3-4 do.      |

Whole distance is over 13 1-2 miles.

These divisions are now of no importance, other than the facility they afford a stranger of acquiring minute information from contractors and others in the immediate neighborhood, relative to any division which may have fallen directly under their own observation.

Section No. 2, extending from the artificial harbor on the margin of the Delaware through the adjoining marsh to the upland, embracing a basin of considerable extent above or west of the tide lock. The average depth excavated, is 7 feet; the earth removed from the canal forms the principal part of the towpath and berm banks, which are very wide and substantial.

The tide lock admits water at flood tide, which is held up by the gates, and supplies the canal to the lift lock at St. George's.

The harbor is not yet completed to its full dimensions, but is sufficiently capacious to afford all requisite accommodation for the present trade; being directly opposite Fort Delaware, its guns will afford ample protection against the approach of an enemy.

Section No. 2, is continued through the upland to the marsh. No peculiar or unlooked for difficulties occurred in the excavation of this section.

The earth being a coarse yellow sand, from 7 to 18 feet deep, was removed by carts, and properly used in the construction of the harbor and banks of the adjoining sections of the canal; a pivot bridge is erected near the centre of this section.

Delaware City is laid out in lots on both sides of the canal, and extends from the harbor past the bridge,—a spacious hotel is nearly completed at the lock, and several brick houses and stores are being built near the same place; further up is a tavern.

Section No. 3, extending through the St. George's marshes to the St. George's Lift Lock. The surface of these marshes is 4 feet below the level or ordinary flood tide; the average depth excavated is 6 feet, the bottom of the canal being about 3 feet below common low tide, a great part of the substance removed is so light and spongy as to float in water.

The towpath and guard bank are between three and four hundred feet distant from each other—embracing an area of over 150 acres.

These banks are made up of hard gravelly earth, carted from the nearest points of upland, the specific gravity of this earth exceeding that of the surrounding marshes, it sunk in many places for a long time almost as fast as it could be carted on, and in several instances it is calculated to have gone to a depth of from 60 to 80 feet, and in one place 100 feet below the original surface, at the same time raising many acres of the adjacent marshes, several feet above its original level.

The banks are raised 15 feet above the bottom of the canal, being more than two feet above the highest known tide. The settling has ceased for several months, and the works have now every appearance of being permanent.

The lift of the St. George's Lock, is from 8 to 10 feet, depending upon the navigable height of water both in the upper and lower lock; a pivot bridge is constructed in connection with this lock, all of free stone, furnished by Col. George G. Leiper, from his quarries on the Delaware.

Near the lock is the village of St. George, where are two taverns, two stores, a church and Post Office, &c.

Section No. 4, extends through and occupies the old St. George's mill pond to the section of the "Deep Cut."

The first half mile west of the Lock, the towpath is made very wide to where a connection is formed with a point of upland; from this point westerly, the bank is only the usual width of 12 feet, the water flowing on both sides of the towpath covers the ground formerly occupied by the old mill pond, and forms a spacious reservoir both to the right and left, the water having a communication through the bank, is kept at the same level on both sides; all danger of failure in consequence of pressure upon the bank is thus obviated.

The bottom of the old pond being in most places below the required depth of the canal, very little excavation was necessary except in crossing some points of upland, in which case the earth was used to form the towpath; other parts of the bank are made with earth brought by the boats from the "Deep Cut," a still greater portion by carting from the most convenient point of upland.

The bank sunk in several places from 3 to 10 feet; but the difficulties of this section from settling are of little comparative moment.

Marine shells were found in abundance in the earth removed from points from 8 to 15 feet above the tide; among which were the shells of oysters, at least six times the size of the degenerate race of the present day.

Section No. 5, or the "Deep Cut." The earth excavated to form the canal and drains on this section, amounts to near ninety millions of cubic feet!!

The earth excavated was originally removed from the slope of the canal 45 feet on the south, and 35 on the north side of the canal.

The space between the top slope of the canal and the foot of the spoil bank is raised next the canal, so as to throw the rain water from the slope of the canal into drains, in front of the spoil banks, by which it is conducted east and west from the summit to the reservoir, leaving the face of the main subject to wash only by the rain falling immediately on it.

The section begins with eight feet depth of cutting the first mile occupying the former valley of a small stream, called Raccoon creek, extends to the permanent or summit bridge; the creek formerly received a constant supply of water from a great number of springs, occurring at such short intervals, as to form, notwithstanding the ascent, a continued swamp to within a quarter of a mile of the bridge, and prior to 1824 was covered with timber and underwood, so completely matted with sweet-brier and other vines, as to have formed, from the first settlement of the country, a safe retreat for the fox, and a fruitful source of vexation to the sportsman.

The canal and side-drains, together with the immense spoil-banks formed by the earth excavated, now completely fill the space, and form hills in the former valley.

The creek and morass have disappeared, and are now observed only in the occasional trickling of water from the sides of the canal, in the place of which the Summit Bridge at present engrosses public attention. It is built on a hard, firm bank, where the original surface attains an elevation of 65 feet, above which the abutments are built 20 feet in thickness; the sides of the canal below the abutments are protected by a slope-wall laid from the bottom of the canal to the top of the bank, from six to two feet in thickness.

The floor of the bridge is 90 feet above the bottom of the canal, extreme length 280 feet.

Independently of the interest excited by the bridge, the view of the canal from its commanding height is grand beyond description. A flight of steps has been erected, to facilitate the ascent from the towpath up the bank.

Directly south of the bridge is the Buck Tavern, kept by Mr. Clement, whose dinners are very necessary to complete the enjoyment of the scenery.

The canal for one mile west of the summit bridge, is in every respect calculated to interest the admirers either of nature or art; the ground which it occupies, was

originally cultivated fields and open woodland, the latter (being about 14, of this distance,) was too wet and the soil too heavy for profitable cultivation.

The average depth for this mile, is 65 feet; to the depth of 20 feet from the surface, the earth is a yellow sand with occasional crusts of iron stone, in other places stiff yellow clay.

Below this depth, the earth is with few exceptions, of a very dark colour, resembling marl, more tenacious than sand, and less so than clay.

Fossil remains of both the vegetable and animal kingdoms, abound in the lower strata, and are found from the greatest depths excavated, up to near 60 feet above high tide. Wood, lumber, large bones, teeth, and shell fish of several kinds, are among the curiosities discovered at various depths.

The greatest depth excavated is over 76 feet, it is one fourth of a mile west of the bridge, and noted for the vast quantity of earth which slipped from the north side, and was removed from the canal, leaving a chasm which goes by the name of the "Big Slip."

This place is secured by four parallel rows of piles, closely driven at the foot of the slope, to the depth of 18 feet below the bottom of the canal. The piles are connected by timbers, on which a slope wall 3 feet in thickness is built, slightly curving towards the centre of the slip; back of the wall is a frame work of timber, morticed to the bed sills on which the wall is built, these bed sills being continued 20 feet into the bank for that purpose, the whole connected with longitudinal timbers, so that the piles, timber, and stone work, must move en masse before the bank can give way.

The most efficient protection is, however, derived from French drains made of stone and timber, surrounded with marsh hay; the drains run in various directions under ground, up the bank, intersecting the springs, and affording a ready outlet for the water, the want of which outlet, was the original cause of the slip.

Piles 18 feet long are driven half way up the slope at the foot of the sound bank, these were necessary to enable the workmen to approach, and drain to the source of the spring; even with their aid, it was no easy task; the lower part of the bank which is now hard and firm, was then so completely saturated with water, that the workmen frequently were up to their knees in mud.

The importance of removing the pressure of a column of water, when pent up by tenacious earth to the height of 40 feet will be duly appreciated without the reflection of a philosopher; but for the sake of familiar illustration of the utility of the drains, let us for a moment substitute in their place, a slope wall five feet in thickness, extending to the same height up the bank.

The wall would evidently afford a protection, proportioned to the excess of its weight above that of the earth composing the bank.

Now the drains being near 10 feet under ground, reclaim that much of the moving mass which the wall would have to support, and the earth to this depth being rendered firm and compact, acts as effectively by gravity to support the bank as 5 feet thickness of wall; having any advantage to be derived from the removal of hydraulic pressure in favour of the former, even if the expense of the latter did not forget its adoption.

West of the "Big Slip" several others of less magnitude have occurred, and are secured in like manner, but in most cases the French drains have been found to afford sufficient protection, unassisted except by the slope wall made to the usual height, with one row of piles at the foot of the slope.

The termination of the "Deep Cut" is near the head of Turner's mill pond, the last 1½ mile, on the western parts, is located on the low ground formerly occupied by the main branch of Broad creek, the ground being too wet for cultivation, was principally covered with wood.

The strata of earth exposed in excavating, differ in many important particulars from those of the centre or eastern division.

Charred wood is found at all depths and in greater abundance than on other parts of the canal; but few animal petrifications are found either on the eastern or western extremities of the "Deep Cut."

The springs which formerly supplied the creek, have in most cases sunk with the excavation, and now mingle with the water of the canal, forming a valuable, though invisible Feeder; but in some instances they still resolutely hold their old courses, and issue from the bank several feet above the level of the water in the canal; in other cases their effects in finding new outlets, at a lower level, are still visible in the extensive slips caused by the resistance of its passage through the compact clay of which these banks are principally composed; the greater part of the lower strata is, however, a coarse porous sand, affording a ready passage for the spring water; marsh hay is here made to answer a valuable purpose by being placed back of the slope wall, where it retains the sand in place; while the springs find a ready outlet.

Above the walls a great part of the banks are handsomely finished by thatching with hay and straw; which affords the most complete protection against wash by rains, from the sides into the canal.

### PROCEEDINGS OF COUNCILS.

*Thursday evening, Nov. 12.*

The following gentlemen were appointed members of the committee on the Sinking Fund,—Messrs. Miller, Thompson, Hale, Keyser, Price, Jones.

A communication was received from Stephen Kingston, stating that when he was last in England, he observed that public statues were there made of *artificial stone*, considered to be as durable as marble. He enclosed a proposal from Mr. J. G. Bubbs, of London, to make an equestrian statue of Gen. Washington, in *Lithargillite*, in his best manner, for the sum of five hundred guineas. Mr. Bubbs, executed the basso relievo in front of the King's theatre, the largest ever executed in Great Britain, also the sculpture in front of the Royal Exchange, and a monument of Mr. Pitt, executed for the corporation of London, & placed in the Guildhall.—Referred to committee on Washington and Rittenhouse squares.

A petition was received from Joseph F. Lewis, stating that he is desirous of making a valuable improvement at the south west corner of Walnut and Water streets, and praying that he may be permitted to build on a line with the other houses, and that that part of Water street may be regulated so as to correspond with the remainder of the square.—Referred to Paving Committee.

Mr. Miller presented a petition from sundry citizens, praying for the removal of the Fish Market, and for the filling up of the docks at the eastern termination of Market street.—Referred to the Committee on Markets.

Mr. Read read in his place "a supplement to the several ordinances providing for the appointment of City Commissioners, Treasurer, City Clerk, and City Recording Surveyor, and prescribing their duties." Ordered to be printed.

Messrs. Thompson, Worrell, Massey, and J. P. Wetherill were appointed to ascertain and report, what sums are now due to the corporation of the city, for curbstones and setting, by whom, as also for paving or repairing footways for individuals, with such information as said Committee may think proper to communicate.

On motion of Mr. Thompson, the two following resolutions were adopted.

Resolved, by the Select and Common Councils, that the City Commissioners be requested to inform Councils at their next meeting; to whom the public wharves or landings are let; also to whom the City Lots are let; and if any of either of them are unlet, designating which they are, also on what terms they are rented, when their Leases commenced, and when they will expire, or have expired. Also their annual rent respectively, and if any

what the Tenants are in arrears; with such other observations as they may think necessary.

Resolved by the Select and Common Councils, that the City Commissioners be requested to report to Councils at their next meeting, if any and what amount of City taxes have been entered in County Commissioners' Office in conformity with the act of assembly commonly called the Lien Law in relation to unpaid taxes.

The Paving Committee reported that the iron pipes having been laid down in Barley street, they have directed the same to be paved.

A memorial was received from the Recording Surveyor, praying that the sum allowed the assistant of the Surveyors and Regulators, may be increased. The present allowance is one dollar and twenty-five cents per day, which is stated to be not enough to secure the services of a competent and skilful assistant.—Referred to the Paving Committee.

A resolution was adopted, directing the City Commissioners to have the uprights or posts in front of Chesnut street wharf, secured in a substantial manner, so as to protect the steam boats from injury while lying at the wharf.

A resolution was passed, authorising the library committee, to fit up the north west room on the second floor of the City Hall as a Library room, and arrange therein the printed books, pamphlets, and documents belonging to the corporation, depositing the more important documents in the fire proofs.

In compliance with a suggestion from the Paving Committee, the City Commissioners were directed to advertise for proposals for digging down Beach street, to the surface of the gravel, from Spruce to Pine street, and for removing the earth to Beach street between Walnut and Chesnut streets.

Messrs. Troth, Donaldson, Read and Horn, were appointed to confer with the Commissioners of Spring Garden, on the subject of the payment of their proportion of the cost of the sewer in Vine street.

Messrs. Donaldson, Baker, Price, Miller, Neff, and Worrell, were appointed to inquire into the expediency of improving or disposing of the city property at Chesnut street on Schuylkill.

The accounts of the City Treasurer, from July 1st until Oct. 1st, 1829, were referred to the Committee on Accounts.

The Market Committee presented the following:

To the Select and Common Councils.

The Committee on Markets, to whom was referred, the subject of securing the Fish Market House from danger by fire, gave early attention thereto, and found, that its contiguity to the Steam Boats, would constantly subject it to that danger, unless some effectual precaution was adopted. In immediate connexion with this subject, the situation of High street wharf, and docks, was brought under the notice of the committee; and the inconvenience and danger to which the citizens are subjected, by there being only a narrow passage for a single vehicle, between the docks, and buildings on the North and South sides of High street, together with the offensive situation of the docks, particularly at low tide, as subjects, worthy of the consideration of the Councils, and in which a radical change is thought to be required. The committee was therefore induced to enter into a general consideration thereof, and would respectfully recommend—That 41 feet, or thereabouts, of the Easternmost part of the Market House, should be removed, so as to bring it on a line with the buildings facing the river on the south side of High street; That the present docks should be filled up, and that application should be made to the wardens of the port, for permission to extend High street wharf eastward, about 45 feet, beyond its present termination, so that it will be on a range with the wharves of Stephen Girard and Paul Beck; said wharf to be built with a front of 56 feet, and a dock on each side of 22 feet wide; and 60 feet deep, according to a plan, for the drawing of which the committee are

indebted to Frederick Graff, which is herewith submitted, together with a survey made by Samuel Haines.

It is believed, that the income from the Fish Market will not be diminished, by the removal of the proposed eastern portion; and that a sufficiency of stands will remain to supply all these who are disposed to rent. The whole number of stands is 88, of which, only 62 are rented, leaving 26 from which no income is derived; and, in the proposed reduction, it is expected, that only about 24 stands will be removed; of which, 13 are not rented, and the remainder the least desirable, being at the lowest rate of rents. There are also six stands for fish waggons, and only four of them are rented.

High street wharf is now in a very dilapidated state, and the expense of putting it into repair, would be 1000 dollars. The expense of building a wharf and docks as now proposed, will be about 7000 dollars; and, it is expected, would produce an annual rent of 2800 dollars.

The lease of Benjamin Reeves, at 500 dollars per annum, for the northern dock, expired on the 1st of April last, and has not been since renewed, although he continues to occupy it, at the same rate. From the South Dock, only \$32 for wharfage has been received, since the 1st January last.

The committee would recommend the adoption of the following resolutions.

Resolved, by the Select and Common Councils, That the plan of improving High street wharf, as submitted by the committee on markets, be adopted.

Resolved, by the authority aforesaid, That the city commissioners be, and they are hereby authorised and directed, to cause High street wharf on the Delaware, to be improved, according to the proposal in the above resolution, under the direction of the committee on markets; and, that the expense thereof, be charged to appropriation No. 14.

The committee request leave to present the draft of an ordinance entitled, "An ordinance for altering and improving the Fish Market."

The resolutions were adopted, and the ordinance was passed.

The following petition was referred to Messrs. Baker, Massey, Duane and Cuthbert.

To the Honorable the Select and Common Council of the City of Philadelphia.

Gentlemen,

We regret extremely, that we are again necessitated to petition your Honorable body, and appeal to your sympathies, in a matter which we flattered ourselves, would unhesitatingly be granted us.—We apprehend that your Honorable Body is not minutely acquainted with the circumstances of the case—and perhaps a detail of the same, would not be considered inexcusable. When we first discovered that John Trout was in arrears, we immediately demanded the books; but a length of time elapsed before we obtained them, in consequence of his secreting himself; and after getting the books in our possession, we were unacquainted with the nature of collecting, and a considerable time, also, elapsed, before we could obtain a suitable person.—Immediately upon procuring such an individual, he proceeded to collect, and paid at different times to the Treasurer, monies to the amount of \$1600, more or less, leaving a balance of something like \$8000, which the sureties, at the sacrifice of their real property, have paid.—But Mr. Boss, particularly, had his share in possession, and would have paid it seven or eight weeks earlier, had it not been for want of an agreement, in the list of allowances, to be made by the commissioners, which they neglect to attend, and which was finally and decisively settled by their clerk. We apprehend your Honorable Body will not conceive this to be a precedent, when all its connective circumstances are taken into consideration. If any thing pertaining to the present subject had occurred, either by the neglect or omission of the sureties, this humble favor we would

not ask. But since the disclosure of Trout's deficiency came to our ears, we have used every earthly and honorable means to discharge the debt as soon as possible. There is one fact, to which we would beg your particular attention—that is, by adverting to the Treasurer's Book, you will find that monies were at intervals of time, paid up to a late period; and it was owing principally to the difficulty of collecting that more money was not actually paid in—and we presume that according to the principles of collecting—as long as money is paid into the Treasury, there is no interest charged, though it should not be after the expiration of the year—which is not the case in the present instance; as we have paid ours, before the expiration of that period; it is an invariable rule, to grant the new duplicate before the old one is settled; and sometimes two or three years expire before the old one is finally discharged; this has been the case with us; we had \$1700 to pay on the old duplicate of 1827; which if Trout had been obliged to settle for, we should have been excused; we are aware that some of the duplicates are not yet discharged.—Gentlemen, we conceive, as we have before stated, that when all things are taken into consideration—that this is an unexampled and unprecedented case; one out of the common and ordinary occurrences—which we apprehend can never be quoted as a guide, for a like occurrence—the circumstances involved are so minute, that it is impossible to communicate the whole; but if your Honorable Body were as intimately acquainted with them as we are, you would unhesitatingly grant us our humble request, and vote us credit for our diligence and promptitude—however, if we have again to appeal, in vain, to your Honorable Body and your sympathetic feelings, we, as fellow men, shall ever think it a hard and somewhat oppressive case.

The above statements and facts could have been heretofore related; but your petitioners were persuaded that it would scarcely be required from them.

Your Fellow Citizens and Humble Petitioners,  
FREDERICK BOSS,  
For PETER HINCKLE,  
WILLIAM HINCKLE.

The following was referred to the Committee of Ways and Means.

*City Commissioner's Office,  
November 12, 1829.*

To the President and Members of the Select and Common Councils.

Gentlemen,—By a statement rendered to the Mayor yesterday by the City Treasurer, it appears that the following appropriations are overdrawn to the amount designated:

|                                      |         |              |
|--------------------------------------|---------|--------------|
| No. 1. New Paving,                   | - - - - | \$ 8,447 64  |
| 2. Docks and Sewers,                 | - - - - | 159 44       |
| 3. Lighting and Watching,            | - - - - | 3,313 81     |
| 9. Expenses of Offices,              | - - - - | 29 57        |
| 11. Incidental Expenses, &c.         | - - - - | 7 12         |
| 13. Repaving, &c.                    | - - - - | 1,449 66     |
| 21. Expenses authorised by Councils, | - - - - | 3,020 46     |
|                                      |         | <hr/>        |
|                                      |         | \$ 16,437 70 |

By order of the Commissioners,  
JOHN NORVELL, City Clerk.

The following was referred to the Watering Committee with discretionary power.

To the Select and Common Councils of the City of Philadelphia.

*The Petition of James Ronaldson, respectfully sheweth,*  
That your petitioner has erected eleven three story brick houses on the west side of Ninth, between Cedar and Shippen streets, and that the convenience and economy of having houses supplied with Schuylkill water are so great, and held in such estimation, that on account of these houses not having this water, your peti-



tioner has not been able to rent any of these houses; and he respectfully petitions your honourable bodies to grant him the privilege of procuring a supply of Schuylkill water from the pipe in Bonsall's Alley, the expense of laying the pipes, to be paid by your petitioner; and also that your petitioner shall pay for this supply of water, the same amount of rent as is paid by the inhabitants of Southwark or the Northern Liberties.

It is proposed by your petitioner, that in laying down the pipes, a stop cock shall be placed in Cedar street, within the jurisdiction of the City of Philadelphia, and this stop cock placed in the charge of the authorities of the City of Philadelphia, that in the event of your petitioner not conforming to the tenor of his engagements, the supply of all the eleven houses can be cut off.

Your petitioner begs leave respectfully to state, that the compliance with this request would add to the City revenue, it would encourage improvement, and greatly benefit your petitioner.

JAMES RONALDSON.

Philadelphia, Nov. 10, 1829.

### RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 315.*

August 16. The Governor laid before council the proceedings of the Congress held at Albany by the Governor of New York and the Commissioners of the several provinces, on the 19th June 1754. Present: The governor of New York and his council of four; four commissioners from New Hampshire; four from Massachusetts-Bay; three from Connecticut; two from Rhode-Island; four from Pennsylvania; and two from Maryland.—This meeting was held in conformity to orders from the Lords of Trade of 3d Sept. 1753, for the purpose of conciliating the Indians by hearing and redressing their complaints; making presents, and regulating affairs with them.

Sunday 23. Sec'y Peters preached a sermon, which was requested to be printed.

June 24. A committee of one from each colony appointed to draft a plan of union.

June 27. Draft of speech to the 6 nations—urging them to collect together; to be on their guard against the French. Plan of union agreed to be formed, to be established by parliament.

July 9. A representation of the general state of affairs agreed upon.

July 10. A plan of union.

Deed; July 6, 1754, from the 6 nations to the proprietors for and in consideration of £400 for the following lands, "Beginning at the Kittocthiny or Blue Hills on the West Branch of Susquehanna, then by said river to a mile above the mouth of a certain creek called Kayarondinash (Penn's creek), thence NW. by W. as far as the province of Pennsylvania extends to its western line, thence along said western line to the South line or boundary of the said province, thence by said south line to the south side of the said Kittocthiny hills, thence by the south side of the said hills along the said hills to the place of beginning. [Note. By an indorsement on this deed, £400 more were to be paid to the Indians whenever the lands over the Apalachian hills should be settled. But some of the Indians of the 6 nations being afterwards disgusted with the enormity of the purchase, gave up the £400, and though Richard Penn released all the lands lying west of the Apalachian; and received a deed 23d October, 1753, for a purchase of the coun-

try inclosing the Juniata as far as the Apalachian Hills: the present counties of Mifflin, S. parts of Union, Centre, Clearfield, all Cambria, Somerset, Bedford & Huntingdon.]

July 9, 1754. Deed of 1st October 1736, ratified and confirmed.

N. B. There were 103 Indians present at the treaty.

A number of Indians (Half King, &c.) went to Aughwick.

Petitions came from Cumberland, Donegal, (Lancaster), Pextang, Derry, and Hanover townships, Lancaster county, praying assistance.

Wednesday, Aug. 7, 1754. Message of Governor stating the late unfortunate event—desiring troops to dislodge the enemy, and supplies to protect the frontiers; and for the subsistence of many Indians of the 6 nations, who had fled from the French and taken refuge in Pa.

Gov. Dinwiddie, July 31. "The late action with the French gave me much concern. My orders to the commanding officer, was by no means to attack the enemy till all the forces joined in a body. They were surprised and had no account of their march till the morning before the action, which obliged them to be on the defensive; and indeed considering the few numbers of our forces, the enemy have nothing to vaunt of, but what they got by the capitulation. By the advice of my council, I gave orders to the commander-in-chief to collect all his forces together at Wills' creek, and march over the Allegheny mountains. If he find it impossible to dispossess the French of the fort, he is to build a fort at Redstone creek, the crossing place, or any other place proper that may be determined by a council of war.—The number of forces is—South Carolina independent co. 100; N. York, 2 indep. co. 160; Virginia regulars, 300; N. Carolina regulars, 350; Maryland, 100—Total, 1010. I would be glad if they were augmented by 2 or 3 companies from your province." "Your observation is very just—if the people here do force the Parliament of Britain to interfere with the Legislatures of America, which undoubtedly must be the case if they continue obstinate to his majesties commands." "Mr. Washington had many of the Indians with him, but I observe these people remain inactive till they see how affairs go, & generally speaking, side with the conquerors, that in my private opinion little dependence is to be put in them; however, the Half King and several other Indians are now among the back settlements of this or your government." "The article of capitulation in regard to making no settlements for one year, the officers say it was only in regard to the forces left with the baggage and sick; they gave no parole for themselves, and are now ready to proceed with the other forces." "I have received the plan for an union among all the colonies. As it is an extraordinary piece and some new positions in it not before ventured on, I do not care to give my opinion on it till I hear how it is received at home." Bill for striking £35,000 sent to Governor. Govr. sends back with amendments—extremely mortified that it is the same he sent back last session, and leaves the matter to his successor who is shortly expected.

House adjourned to 30th Sept.

Aug. 22. Accounts from Aughwick, Aug. 20, that the Half King, Scaraoody, and several other Indians with their wives and families had been there since Colonel Washington was defeated.

Letter from Capt. Stobo to the governor of Fort Du Quesne, July 29, 1754, brought by an Indian to Aughwick—

Sir—I wrote you yesterday by an Indian named the Long or Mono; he will be with you in 7 days. This goes by Delaware George, if these discharge their trust they ought to be well rewarded. The purport of yesterday's letter was to inform you of a report, and I hope false, which greatly alarms the Indians: that the Half King, and Monecatooth are killed, their wives and children given to the Catawbas, Cattoways and Cherokees. I wish a peace may be made up between the Catawbas,

and the nations here; they are much afraid of them. Many would have joined you ere now had it not been for that report. You had as just a plan of the fort as time and opportunity would allow. The French manage the Indians with the greatest artifice. I mentioned yesterday a council the Shawanese had with the French; the present they gave; and if they made the French a speech yesterday, the bearer, who was present, will inform you to what purport. If yesterday's letter reaches you it will give you a particular account of most things. I have scarce a minute, therefore can only add one more thing: there are but 200 men here at this time, 200 more expected in a few days; the rest went off in several detachments to the amount of 1000 besides Indians. The Indians have great liberty here; they go about and in when they please without notice. If 100 trusty Shawanese, Mingoes and Delawares were picked out, they might surprise the fort, lodging themselves under the platform behind the palisades by day, and at night secure the guard with their tomahawks. The guard consists of 40 men only, and 5 officers. None lodge in the Fort but the guard, except Contro Cœur—the rest in bark cabins around the fort. All this you have more particularly in yesterdays account. Your humble, servt. &c. La Force is greatly missed here. Let the good of the expedition be considered preferable to our safety. Haste to strike.

A list of deserters and prisoners at the French fort: Mercer's company.—John Smith, John Baker. Did not get here till after the detachment of deserters.

Vanbram's do.—Barnabas Deven.

Mercer's do.—Jacob Arants, John Ramsey. This man is the cause of all our misfortunes. He deserted the day before the battle. The French got to Guest's at dawn of day, surrounding the fort, imagining that we were still there; gave a general fire. But when they found we were gone, they were determined to return with all expedition, thinking we had returned to the inhabitants—when up comes Mr. Driscall, told them that he had deserted the day before, and that the regiment was still at the meadows in a starving condition, which caused his deserting, and hearing they were coming, deserted to them. They confined him—told him if true he should be rewarded, if false hanged. This I had from the English Interpreters.

Mechas' do.—John Stuerdfages, wounded in the right arm.

Montour's do.—Daniel Lafferty, Henry O'Brien, Prisoners.

Taken at Guests by an Indian named English John, Lowrey's traders.—Andrew M'Briar, Nehemiah Stevens, John Kennedy.

Elizabeth Williams.

The Indians offered their prisoners for sale. Enquired the price—40 pistoles for each. A good ransom.

All sent to Canada in custody of the Indians who took them, except John Kennedy, he was given to the Owl to weigh upon while his leg was curing. He was wounded with 10 others and 4 Indians. All are recovered but one, who died after having his arm cut off. 4 were shot on the spot. That is all the loss that I can hear of. On the 23d three of their people deserted. I hope they are got with you by this time. I hear more intend it soon. I spoke to the commander several times concerning the prisoners, telling him as long as we came to a capitulation, to make them prisoners—he told me they were the Indians, and he could not get them from them.

October 3. Governor informed council that the Proprietary had accepted his resignation and appointed Robert Hunter Morris to succeed him, who had arrived and was sworn in.

Oct. 4. Journal of C. Weiser, and other acts of the Indians at Aughwick. "Sept. 3. By the way Tanacharisson otherwise called the Half King, complained very much of the behaviour of Col. Washington to him (tho' in a very moderate way, saying the Col. was a good natured man but had no experience) saying that he took

upon him to command the Indians as his slaves, and that he would by no means take advice from the Indians.—That he lay at one place from one full moon to the other and made no fortifications at all but that little thing upon the meadow, when he thought the French would come up to him in open field. That had he taken the Half Kings advice and made such fortifications as the Half King advised him to make, he would certainly have beat the French off. That the French had acted as great cowards, and the English as fools, and that he (the Half King) had carried off his wife and children, so did other Indians before the battle began, because Col. W. would never listen to them, but was always driving them on to fight by his directions."

Letter from Capt. Stobo, 28th July, 1754. The Indians are greatly alarmed at a report, said to be brought up by an Indian named Tuscarora John. He reports that the Half King, Monicetooth, and a Shawanese King, &c. to the number of 37 were confined by the English, and carried as prisoners. That John Meinor alias Jacob Cork, of Montour's company told him so soon as they got them to the inhabitants they would hang them all and advised him to make his escape. This was industriously reported the day before the Shawanese counselled with the French & their Indians. The French made them a very long and eloquent speech; telling them they did not come to make war with any, but the English would not let them alone. That they expected their children would not see their father abused in his old age; but that if they had a mind to join the English they might; if not and to live in peace with all, there were goods for them. This was all I could pick up. The French gave two very large belts of Wampum and as many strings. Their Indians gave an equal number. The French gave them likewise a large present, viz. 16 very fine guns, 2 barrels gunpowder, and bullets in proportion, 16 fine suits of clothes, several of a meaner kind, blankets, strouds, &c. The Shawanese made no answer at that time, nor have I heard they have as yet. 'Tis now reported for certain that the Half King, &c. are killed, and their wives and children given up to the barbarity of the Cherokees and Catawbias, of whom they say there are 300 at the new store. True or false, it has greatly alarmed them, and had it not been for that report I believe a great many Indians and of several nations would have been with you now. If true (which I cannot think) there will be no farther dependence on any Indians this way, and will make our return very hazardous, but that is not to be considered. The Shawanese, Picts, and Delawares have had a grand council by themselves—what they have determined I know not; but I have persuaded some of them to venture to see you by assuring them they will be used in the best manner and that there is large presents at the new store. A present well timed now will be of great service. If peace be made with their Indians, Catawbias and Cherokees, I hope all will go well. I assure you there was not any of those Indians we call ours at the battle except 6 or 7. I believe of the Mingoe nation, 2 fellows not regarded by them, particularly one English John; he was at Guest's with those that were suspected as spies. I am informed he intends to see you with some of the rest. Take care of them. I send this by Monicetooth's brother-in-law; a worthy fellow; and may be trusted. On the other side, you have a draught of the Fort, such as time and opportunity would admit of at this time. The garrison consists of 200 workmen, and all the rest went in several detachments to the number of 1000, two days hence.—Mencin (a fine soldier goes; so that Contro Cœur, with a few young officers and cadets remain here. A Lieut. went off some days ago with 200 men, for provisions. He is daily expected. When he arrives, the garrison will. La Force is greatly wanted here—no scouting now—he certainly must have been an extraordinary man amongst them—he is so much regretted and wished for. When we engaged to serve the country, it was expected we were to do it with our lives. Let them

not be disappointed. Consider the good of the expedition, without the least regard to us. For my part, I would die 1000 deaths to have the pleasure of possessing this Fort but one day. They are so vain of their success at the Meadows, it is worse than death to hear them. Strike this fall as soon as possible. Make the Indians our's. Prevent intelligence. Get the best and 'tis done. 100 trusty Indians might surprise this fort. They have access all day, and might lodge themselves so that they might secure the guard with the tomahawks; shut the sally gate and the fort is ours. None but the guard and Contre Cœur, stays in the fort. For God's sake communicate this to but few, and them you can trust. Intelligence comes here unaccountably. If they should know I wrote, I should at least lose the little liberty I have. I should be glad to hear from you. But take no notice of this in yours. Excuse error, bad diction, &c. Pray be kind to this Indian. Springes and Delaware George have been here. [Here follows a plan of the Fort.]

Letter from Gov. Dinwiddie to Gov. H. that in consequence of a difference with his assembly, no more supplies were granted. Congratulating Gov. H. on his resignation, and complaining "that a Governor is really to be pitied in the discharge of his duty in dealing with such obstinate and self-conceited people."

Nov. 13. Great sickness and mortality among the Palatines and other German passengers, 273 died. And a Physician appointed to inquire and report.

(To be continued)

## CONTRIBUTIONS

TO THE

## MEDICAL HISTORY OF PENNSYLVANIA.

By CASPAR MORRIS, M. D.

*Extracted from the Memoirs of the Historical Society of Pennsylvania.*

Although it is with feelings of diffidence I have ventured this evening to address you, I shall not attempt to apologize, since it is done in the hope to form a starting point, and encourage others, better qualified than myself, to come forward, rather than from any expectation of being able to contribute materially either to your instruction or amusement. From the many subjects demanding investigation, which have been allotted to us by the Society, I have selected one which is involved in much obscurity, and have collected such facts in connection with it as circumstances have placed in my power.

Considerable difficulty must, necessarily, attend any attempt to elucidate the early history of this country; as but few physicians capable of transmitting to posterity an account of the diseases they were obliged to encounter, and the means found most effectual to their relief, would be willing to forego the comforts and advantages of civilized society, to plunge into the dangers and difficulties attendant on an attempt to people the wilderness, and bring the forest under cultivation: and though, from peculiar circumstances attending the settlement of this colony, Pennsylvania seems to have enjoyed the skill of several accomplished and well-educated physicians, I am not able to trace a single paragraph, now extant, in which they have attempted to detail either theory or practice, prior to the year 1740. It is true that the same rage for book-making did not then exist as at present, and no periodical journal offered its pages for short essays, such as men engaged in extensive practice can find time to compose: and most probably could we have access to private letters written to their friends at home, we might there find much information. For the facts contained in the following essay, I am indebted to traditional report, and notes made in desultory reading. From a letter kindly loaned me by my friend, Dr. James, received by him from John

F. Watson, of Germantown, I have derived some hints with which he shall be credited as they are mentioned. Prior to the arrival of William Penn, in 1682, even tradition is pretty much silent; and I am not aware of there having been any regular practitioners of medicine among the Swedes. Noah Webster, in his book on pestilence, mentions, that the winter of 1641 was very severe, and that the Swedes, and a colony from New Haven, who had settled among them, suffered very much in the following summer; but does not say what was the disease. In 1647 they again suffered from the influenza, which passed from the northern to the southern extremity of this continent, and is the first epidemic of the kind mentioned in our history. "Such as bled, or used cooling drinks, died; such as used cordials, or more strengthening things, recovered for the most part." In the month of June, 1653, the whole continent was again visited by the epidemic catarrh, which was followed by other fatal diseases. "In the year 1668," says Webster, "appeared a comet with a stupendous coma; this was attended by an excessively hot summer, and malignant diseases in America."

With William Penn there emigrated two Welch gentlemen, Thomas Wynne and Griffith Owen, who appear to have been regularly educated to the profession; and Wynne is said to have practised in London. They were both members of the Society of Friends, and were much respected by their fellow emigrants; as we find them repeatedly noticed in the history of the times, and Wynne held the office of speaker of the first assembly of the freemen of the province. Some doubt exists as to whether they both located themselves in the city; and I am inclined to believe that Wynne accompanied his countrymen, who, allured by the resemblance which the tract of country now forming the townships of Merion and Haverford, bore to their native hills, generally settled west of the Schuylkill. Though neither of them has left any account of his practice, we may be allowed the inference, that with the exception of the occasional epidemics to be noticed, surgical, rather than medical skill, was had in requisition. Of one thing we are sure, that among the hardy sons of England's yeomanry, who had thus abandoned the comforts of home for conscience sake, they met with few diseases the result of idleness or luxury. Generally speaking, the colonists must have enjoyed good health, as we find Wynne taking an elevated part in politics, and Owen travelling in the neighbouring colonies. The winter of 1697-8, seems to have been one of unusual severity, and the whole of the colonies again suffered from influenza; which, to the north, put on the form (since so well known) of pneumonia typhoides.

In the month of August, 1699, only 17 years after the arrival of the proprietor and his first colonists, we find the city devastated by a malignant disease, which was productive of distressing mortality. It is noticed in the Journals of Thomas Chalkly and Thomas Story, Ministers of the Society of Friends. The latter was then on a religious visit to this colony, and soon after received the office of Master of the Halls. He does not enter into any detail as regards the symptoms; but notices the number of deaths as at one time amounting to six or eight daily. The malignant nature of the disease may be judged of, from the fact, that friends from the country were advised to come as little as possible into the city, though the time for holding the semi-annual meeting occurred during its prevalence: and it is noticed by the pious narrator as an evidence of the superintending care of Providence, that during the session of the meeting, which continued several days, "the plague was stayed." By Isaac Morris, then a merchant in Philadelphia, it is noticed in his correspondence as the "Barbadoes Distemper;" though he says nothing of its being imported; and the only symptoms he mentions are vomiting and voiding of blood. The summer had been the hottest ever known, men having died suddenly from the heat, in the harvest field. The dis-

ease commenced in the beginning of August, and abated about the 22d of October, in which time 220 persons had died. Dr. Wynne had been dead some years, and the practitioners during its prevalence must have been his son-in-law Dr. Edward Jones, who accompanied him in his emigration, and Dr. Griffith Owen, and perhaps his son, who commenced practice about this time. Dr. Owen, the elder, lived till the year 1717: during the latter years of his life he seems to have relinquished the toils of practice to his son, and to have sought his pleasure in making short excursions with travelling ministers, who notice him in their journals with great respect.

Connected, perhaps, as much with the present as any other branch of investigation, permit me here to notice a fact which has not, heretofore, claimed attention.—Among the gentlemen accompanying William Penn on his first visit to this country, was one of French extraction, who, proud to have descended from the family of the recluse of Port Royal, and to bear his honoured name, had devoted his time and fortune to the study of the abstruse sciences, among others alchemy and astrology. Soon after his arrival, having provided himself with the requisite apparatus, he commenced the vain pursuit after that which has deluded so many, the Philosopher's Stone, and its necessary accompaniment, the Elixir Vitæ. The result need not at this day be told; but among the simple inhabitants of Philadelphia he was regarded as one passing wise; and his secluded habits, joined to the verification of some trifling predictions he ventured to make from reading the aspects of the stars, induced the supposition, some, that he had made the *disc compact*: and such was the strength of this impression that his house was regarded as the haunt of unquiet spirits, which reputation it bore still within a few months, when it was destroyed to make room for more profitable tenants. His children kept an apothecary's store, in which they vended many articles the produce of their father's laboratory. About fifty years ago, an old man, who recollected the gentleman referred to, narrated to one of his descendants the foregoing circumstances; and descending largely on his benevolence, remarked, "Ah! but he could well afford to be generous; for what was money to him who could turn lead into gold?" Upon being asked how he knew him to possess the power, he replied, "Surely he should know, since he had not only seen, but possessed, the gold so obtained." Here, however, as elsewhere, the time bestowed on this vain pursuit seems not to have been thrown away; for in addition to the amusement it afforded to one placed above the necessity of manual labour, and the benefit derived from the useful product of his alembics, which, as before stated, were sold to the inhabitants, one of his sons, profiting by the knowledge derived from his father, and his books, produced, if not the elixir vitæ, a compound stiled "golden drops," as indicative of their value, to this day celebrated in some sections of the country; and which, if we may credit one third the stories told of it, has performed cures little short of miraculous; and be the compound what it may, for it is still a nostrum in the possession of one of his descendants, is effectual to the relief of most diseases with which any members of the family, who have sufficient faith in its virtues, may be afflicted. In short, it is cause of wonder that the court of death has not, ere this, been depopulated, by the annihilation of some of his chief agents in the work of destruction.

About the time of the death of Dr. Owen, in 1717, the medical faculty was reinforced by the arrival of Drs. Kearsley and Graeme, who, with the son of Dr. Owen and Dr. Jones, son-in-law of Wynne, aided by some two or three empirics, (who amassed considerable fortunes,) formed I believe the sole defence of the city and its neighbourhood against the inroads of disease. Wearisome enough were the duties of these gentlemen; the settlements wide scattered, the roads newly made, and the means of conveyance poor. Dr. Graeme

seems to have possessed a large property. The house in which he is said to have resided, must have been one of the "spacious and splendid mansions" mentioned by some of our older chroniclers. He occasionally retired to Graeme Park, a handsome seat in Bucks County. Dr. Kearsley soon acquired the entire confidence of his fellow citizens. During his life he was active in procuring the erection of Christ's Church, one of the most venerable ornaments of our city, and at his death, in the year 1732, he founded and endowed the hospital for poor widows attached to the church. He left a nephew also a physician, who became obnoxious to the resentment of the whig party at the commencement of the revolution, and was subjected to the cruel punishment of tarring and feathering, then occasionally resorted to; which so affected him as to cause insanity, which continued till his death.

Early in the eighteenth century there emigrated from England to Boston, a gentleman of the name of Zachary, who shortly after died, leaving an only child, Lloyd Zachary, then quite a boy, to the care of his uncle who resided in Philadelphia, to which place he was removed, and where he acquired that education which enabled him not only to shine an ornament to his profession, but also to sustain a character unsullied by reproach. Upon the completion of his classical education he was placed under the direction of Dr. Kearsley, and after acquiring all the medical information he could impart, sailed for Europe in the year 1723, where he spent three years, and returned to practise among his friends in Philadelphia. He was much beloved, and the interest he took in the hospital, of which he was first physician, is sufficiently indicative of his philanthropy. To it, whilst he was able, he devoted his time and talents, and at his death left it a handsome legacy in money and books, thus contributing to the establishment of one of the many noble charities for which our city is famed.—For some years before his death he was afflicted with a paralysis, which carried him to an early grave much lamented. Contemporaneous with these was the elder Shippen, who was born and received his entire education in this city, where he practised during a long series of years. Nor must we pass in silence Dr. Thomas Bond, who, about the year 1734, emigrating from Maryland, fixed his residence in Philadelphia, where he soon acquired great reputation. He was associated with Dr. Zachary in the care of the hospital, and delivering clinical lectures to a few students of medicine which the city contained at the time of its establishment. There still remains to be mentioned, a gentleman, who practised at the time now under review; and who eminently deserves the gratitude of all those who take pride in the scientific character of our city. I allude to Dr. Thomas Cadwallader, the grandson of Wynne. Not satisfied with the information to be gained at home from the instruction of Dr. Jones, he spent some years in Europe, where he matured the knowledge previously acquired, and fitted himself for the distinguished rank he afterwards held in the city and its vicinity. The urbanity of his manners, and his uncommon presence of mind, gained him many friends, and form the subject of many anecdotes still current among the descendants of the Welsh families in which he practised. In the year 1740, he published an essay on the iliac passion, in which he recommends the use of mild cathartics and opiates, in preference to the drastic articles then generally employed. Unfortunately this, which is the first book on a medical subject printed in America, is now out of print: at least so far that I have been unable to procure a copy, and I am indebted for the knowledge that it ever existed to an oration delivered before the Charleston Medical Society by the late Dr. Ramsey. But his claims to our respect do not rest here. Having as before noticed, resorted to the European schools for the perfection of that education commenced under the auspices of Dr. Jones, he learned the inestimable importance of anatomical knowledge; and superior to that petty jealousy and desire to

excel his fellow practitioners, which has too often cast a blot on the fair escutcheon of medicine, he resolved to impart the knowledge of the human structure to such of them as had not enjoyed the same opportunity with himself. To this end he took a house, which, from the location given to it by tradition, must have belonged to that distinguished patron of science James Logan, in which he gave lessons in practical anatomy. Among others who availed themselves of this opportunity was the elder Shippen, and it is most probable that he here acquired those ideas of the importance of the study, which induced him to press upon his son the propriety of making himself master of the science, in order to the establishment of those lectures he afterwards so ably delivered.

The city seems occasionally to have suffered from the prevalence of natural small pox, and consequently some means for arresting its ravages early claimed attention: and in 1731 inoculation was fairly introduced, after having struggled against the fears and prejudices of the people during nine years. Many attempts were made during this time to overcome the opposition, but ineffectually. Newspaper essays, and even sermons, were published, denouncing the practice as irreligious—evidencing a distrust of the care of Providence. J. F. Watson, in his MSS. quotes the sermon of a gentleman of the name of Maskelyne, in which he calls it “an unjustifiable art, and an infliction of an evil, implying a distrust of God’s overruling care, to procure a possible future good.” About the year 1730, it seems however to have triumphed, and we find Kearsley, Zachary, Cadwallader, Shippen, and Bond, engaged in the practice.

J. Growden, Esq.\* was the first patient of note who gave it his countenance, by submitting to have virus inserted into his own system; and the first visit paid by the ex-president Jefferson, then a lad, to our city, was in order to receive the virulose infection, and he lodged in a small cabin on the bank of the Schuylkill, while laboring under the disease.†

In the year intervening between Dec. 1729 and 30, there were interred in the city 227 persons of various sects. An account of the number of births during the same period, would be an interesting document.

In February, March, and April, 1727, there appears from the bills of mortality to have been an unusual number of deaths, though I have not been able to find any reference to the prevalent disorder; and in 1732 the whole country again suffered from epidemic catarrh; in 1736-7 the city was afflicted by the occurrence of ulcerated sore throat.

Sometime in the year 1740, Dr. Graeme was appointed, by the governor, physician to the port, and was required to attend the crews of unhealthy vessels. In the following year Dr. Zachary was appointed to the same station by the assembly: this gave offence to the governor & council, who confirmed the former appointment of Graeme and forbade Zachary to act.

The winter of 1740-41 was very severe, and the succeeding summer the city was visited by a disorder which Noah Webster calls the American plague, and Dr. Bond says was yellow fever, but supposes it to have been introduced by a sickly ship-load of convicts from the Dublin jail. Previous to this it had been the practice to distribute sick emigrants among the inhabitants; at whose houses they received that attention their forlorn situation demanded. In this way jail, or ship fever, was frequently communicated to the families with which they were quartered, (or it was so thought at the time,) and about this time a “Peste house” was erected on League island.‡ In 1747 Webster says the city again was visited by the “Bilious Plague,” preceded by influenza, which very frequently prevailed over the whole continent.

The citizens frequently suffered from bilious remittent fevers, particularly while the dock remained open. This was a creek, running from near the centre of the

city plot to the Delaware, following the course of Dock street; and was navigable at high tide so far as Chesnut and Fourth streets. At low water however, its muddy bed was left exposed to the sun, and emitted a most noxious effluvia, and Dr. Bond asserts that fewer ounces of bark were taken after its closure, than pounds before. As a preventive and cure for miasmatic diseases and their sequelæ, Dr. Bond lauds highly the mild chalybeate waters which abound in the neighbourhood of the city; and by his directions they were resorted to, both by convalescents and those who wished to escape the “bleaching ague.” Many facetious stories are told of the impositions that were practised upon those, who, too unwell to walk to the springs out of the city, were directed to particular wells as possessing equal virtues. These springs seem early to have claimed attention, and were thought by the first settlers to equal the most celebrated spas of Europe. So early as the year 1722, the one now known as the Yellow Springs, in the Great Valley, was discovered, and much resorted to. There was one in the neighbourhood of the Wind-gap in the Blue Mountain, which on the early maps of the state was called the Healing Springs, and marked by the representation of a number of tents pitched round it. There was another, situated near Bristol; and in the Watsons MSS. one is noticed, situate near where the Globe Mill now stands, which received the patronage of William Penn, who caused accommodations for visitors to be erected, and hoped to see a village collected round it, which in anticipation he named Bath.

Having thus scratched a few rough notices of such facts as have come to my knowledge in reference to the Medical History of the province, prior to the year 1750, I now submit them to your consideration, in the hope, as before stated, to elicit further information. Our subsequent history may be more easily determined, and should not some one more competent to the task step forward, shall form the subject of a future communication from the author of the preceding.

#### ABSTRACT OF THE

#### PROCEEDINGS OF THE LEGISLATURE.

#### SENATE.

*Tuesday, Nov. 10.*—Governor’s message and resolutions of the legislature of Georgia, relative to monies granted by Congress to the American Colonization Society.

*Wednesday, Nov. 11.*—Occupied with private bills and claims.

*Thursday, 12th.*—The bill from the House of Representatives authorizing a temporary loan for the continuance of the Pennsylvania canal and rail road, was considered in committee of the whole—agreed to without debate, and reported to the Senate.

*Friday 13th.*—Items referred—relative to incorporation of a company for erecting a bridge over the Lehigh at Kuntz’s ford—and also to incorporate the Lehigh Water Gap and Bridge company—another item relative to judgments obtained before aldermen and justices in city and county of Philadelphia.

Mr. Ringland offered a resolution which was laid on table relative to the adjournment of the Legislature on 17th Dec. to meet on the 11th Jan. and that the daily pay be stopped in the interim. The bill for Canal Loan read a second time. Mr. Brown wished it read a third time, which Mr. Seltzer opposed—who saw no necessity for hurrying it thro’; a million of dollars was no trifling sum, although it did not seem much in the hands of the canal commissioners. Mr. Brown vindicated them from the charge. Mr. Wise was in favour of the bill. Mr. Miller said it would not be amiss to inquire whether it might not be necessary to curtail operations on some of the lines. Mr. Ringland said it was their duty to sustain the credit of the state and relieve the contractors from their difficulties. Mr. Brown further sustained his mo-

\* Watson’s MSS.

†Ibid.

‡Ibid.

tion for the prompt passage of the bill on the ground of the sufferings of those employed on the canal. Mr. Seltzer replied, and Mr. Burden opposed the motion for dispensing with the rule, & Mr. Brown withdrew it.

*Saturday, 14th.*—Mr. Powell reported the following act, for relief of mechanics, &c. which was made the order of the day for 7th Dec.

*AN ACT for the security of Mechanics, Journeymen and Labourers.*

**SECT. 1.** Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases of insolvency in the city and county of Philadelphia, with or without assignment of the debtor, manifested by actual stoppage of payment, all mechanics, journeymen, day laborers, and all and every other person, female as well as male, employed by such insolvent debtor on wages, shall be deemed privileged creditors, and as such preferred as far as the sum of fifty dollars, for each of such creditors, before all other creditors of such insolvent debtor, and shall be first paid out of the estate and effects of such insolvent debtor in full, if there be enough thereof to pay in full; in rateable proportion, according to their respective demands, if there be not enough to pay them in full; and each and every assignee, trustee, or other person holding or distributing such insolvent debtor's estate or effects, shall be liable in his own person and property for whatever sum thereof he or they may pay or part with, otherwise than as is hereinbefore directed in favour of mechanics, journeymen, day labourers, and other persons, female as well as male, privileged as aforesaid: *Provided always*, That no such claim or demand shall be so privileged, unless the same be presented in writing to the debtor or his assignee, and on his or their failure to pay the same on such presentment, put in suit within ninety days from and after the said claim or demand becomes due and payable.

**SECT. 2.** And be it further enacted by the authority aforesaid, That any and every mechanic, journeyman, day laborer or other person, female as well as male, employed in the city and county of Philadelphia on wages, may on refusal of his, her or their employer or employers, to pay whatever wages may be due, not exceeding fifty dollars, to any one such person, put the same in suit, and recover the same before any justice of the peace or alderman, or court having jurisdiction, in said city or county, according to the sum demanded, in which suit the oath or affirmation of the demandant, and the oath or affirmation of the defendant, shall be legal and competent testimony to prove or disprove such demand, whether the trial be by jury, arbitration or otherwise, and execution may issue against the property or person of him or her, against whom judgment may be given in such suit, without any stay of execution or other delay beyond the time now provided by law for appeal, or process of revision, according to existing laws.

**SECT. 3.** And be it further enacted by the authority aforesaid, That all such parts of any and every law or laws of the Commonwealth of Pennsylvania, whether statute, common, or customary, as are contrary to the provisions contained in the first and second sections of this act, be, and the same are hereby repealed.

The Canal Loan bill came up for a third reading, and on the question on its passage, Mr. Fullerton rose and made the following statement.

Mr. Fullerton said:—Mr. Speaker, I feel myself unable to do justice to the subject now before us; but having voted for a similar bill last year, it may be considered necessary for me to state my reasons for so doing.—When I look at the bill on our tables and find that I cannot vote for it, and considering the way in which it originated, I cannot refrain from stating the reasons which induce me to raise my voice against the passage hereof.

In the Session of 1827-28, we passed a law making provision for the construction of canals and rail roads, which many of those who voted for it, acknowledged that it was a measure of immense magnitude, an undertaking which would require the utmost caution and prudence in the management thereof, and by many it was feared that the resources of the state would not be found sufficient to complete the same.

By the law of 1827-28, the Governor was authorised to borrow two millions of dollars for the prosecution of this work, and in order to insure the progress of each line of improvement the Commissioners were directed to contract for a certain portion of work, which was not to be less or more than a certain distance. Leaving it in the power of the Commissioners to act as prudence, and a due regard to the power vested in them, and the funds put into their power might justify.

When the Legislature met, in the session of 1828-29, it appeared that \$800,000 was wanted, to pay the debts incurred and contracts already made. I voted for the bill to raise that sum, believing that the work had progressed farther than the Commissioners expected, and that this sum must be had, although I did not approve of the course pursued by the Commissioners, and believing that a like occurrence would not again take place.

The estimate then presented, by the Commissioners for Canal purposes the present year, was, as I understand it 3,000,000 of dollars, of which the 800,000 formed a part. A bill at a late hour of the session was passed, for \$3,200,000, making one million more than the estimate; the fate of this bill, it is useless to mention, it however finally passed, authorizing the borrowing of \$2,200,000 on a permanent loan, and if it could not be got on a permanent loan, on the terms therein mentioned; to answer the demands of the Commissioners, then the Governor was authorized to borrow on a temporary loan; which, it appears he did, to the amount of \$1,420,876 12 cents. The time for which the Governor was authorised to make this loan having expired & he having no authority to renew the loan, it was necessary for him to call us together. Now, here contrary to my expectations and to my view of the subject, which I think prudence and a regard for the credit of the state, ought to have dictated, the commissioners to have went on and increased the debts, and are still increasing them, when no funds are provided for their payment that by their estimate \$1,342,065 46 cents will be wanted by the 2d day of January next. Now Sir, instead of making provision for the payment of the debt due by the state, and which I think absolutely necessary to support the credit thereof, we are presented with a bill to borrow on a temporary loan 1,000,000 of dollars more. And sir, I should have supposed, that prudence and justice would have directed us in the first place, to have commenced and made provision for the payment of the money thus borrowed and become due, nor can I see how we can rationally expect to borrow, unless we make provision for the payment thereof. Taking the amount borrowed on temporary loans, the amount wanted on the 2d of January next, and a moderate estimate for the year to come, (taking for data our present expenditures) we shall have to raise by loan or otherwise, six millions of dollars in the coming year; therefore to show that I cannot support those to whom we have intrusted the management of our improvements, in a larger expenditure than the appropriations made by law will justify, I am compelled to vote against this bill.

I would, therefore, sir, call upon the Senate, to pause to reflect, to consider what is to be the end of these things. If, sir the commissioners go on the coming year as they have the present—contracting debts—we shall, again the first day of January, 1831, or I might say again the next meeting of the legislature, be indebted thirteen millions of dollars—yes, sir, thirteen millions of dollars—in the short space of 13 months we shall be thirteen millions of dollars in debt; and, sir, of this thirteen mil-

lions, upwards of six millions of this sum has to be paid in this period of 13 months—half a million of dollars to be paid every month for 13 months to come—no resources provided to meet this alarming amount—nothing brought to our view but *temporary loans—temporary loans*.

It may be said, sir, that this is not the proper time to oppose the improvements, and the progress of the bill ought not to be interrupted. I feel, sir, that in some measure it is so—our situation may be compared to a case like this: a breach is made in your canal in cold frosty weather, those who have the superintendence of your work are required to mend the breach. You are answered we cannot, the weather is too cold, *it is not done*, the current increases, the breach is made greater, seasonable weather comes and your agents get to work, the breach is not repaired until unseasonable weather again sets in—the breach not repaired, and before seasonable weather again arrives the breach is still greater and cannot be repaired.

To justify the assertions I have made respecting the amount of our debt, I have made a statement from official documents which I shall now present to the Senate.

Debts due by the commonwealth of Pennsylvania.

|  |                |
|--|----------------|
| Amount contracted previous to canal improvements,  | \$1,840,000 00 |
| Amount of several loans for canals, &c.  | 6,300,000 00   |
| Amount of debt for which the state pays interest,  | 8,140,000 00   |
| Amount appropriated by law to sundry improvements for which sum the state is liable to be called on,   | 210,192 05     |
| Making of debts contracted by the state,   | 8,350,000 00   |
| Amount of debt due to contractors 20th Oct. as stated by the commissioners,  | 655,440 88     |
| Amount wanted on improvements up to 2d January 1830 per commissioners estimate,  | 686,624 58     |
| Making amount of debt, 2d Jan'y. 1830,   | 9,692,257 51   |
| Amount estimated for canal and rail road purposes for the year 1830,   | 2,307,742 49   |
| Making amount of debt 1st Jan'y. 1831,   | 12,000,000 00  |
| Believing the above estimate too low, it being \$1,234,322 97 less than the amt. expended the present year, taking amount borrowed, debts contracted by commissioners and commissioners estimate, I therefore add, | 1,000,000 09   |
| Amount of debt Jan'y. 1, 1831,   | 13,000,000 00  |

|   |              |
|---|--------------|
| It appears by the Governors message that of the loan of 2,200,000, there is yet on temporary loans, | 1,420,876 12 |
| Now wanted per commissioners estimate,  | 1,342,065 46 |
| Estimated expenditures for the year 1830, for canals and rail roads,                                | 3,307,742 49 |

This is the amount will have to be raised, 6,070,684 07 to pay temporary loans, and carry on the improvements in the year 1830.

In addition to the amount stated I might, sir, add the sum of 210,192 05 for which the treasurer is liable to be called on, in the coming year, on account of appropriations made by law, for the purpose of improving turnpikes, bridges, rivers, and other miscellaneous debts—but, sir, this is but such a trifle it is not material to this statement.

Now, sir, the burden that has been brought on my mind, and is to be laid on the shoulders of the good people of this state, and on those I have the honor to represent (though I must confess feebly by me represented) has caused me to raise my voice, and will cause me to record my vote against this bill.

Messrs. Burden and Duncan supported the bill—Mr. Powell declared himself dissatisfied with the bill, but under circumstances was compelled to vote for it. The bill passed Yeas 21. Nays 9.

#### HOUSE OF REPRESENTATIVES.

*Tuesday, Nov. 10.*—A message from the Governor with letter of Governor of Missouri and resolutions of its legislature, relative to the Am. Colonization Society, in which it is declared "that in their opinion Congress has no right to appropriate monies to aid that society." Also resolutions of the Gen'l Assembly of Mississippi, declaring the tariff of 1828, "contrary to the spirit of the constitution, impolitic and oppressive in its operation on the Southern states, and that it ought to be resisted by all constitutional means." Petitions—for a railroad from Philipsburg to Alexandria in Huntingdon co.—for improving road from White Horse tavern on the Allegheny mountain to Virginia line—for incorporating Dundaff academy and an appropriation—to incorporate Presbyterian congregation of Claysville—for refunding monies paid into Treasury on a warrant and patent for lands held under a Virginia entry. Mr. Craft offered a resolution, which was adopted, requiring committee on Judiciary to revise laws respecting master and servant, and especially to inquire into the expediency of devising a more effectual remedy against apprentices charged with improper conduct, by vesting in justices of the peace a discretionary power to extend or refuse to the apprentice, the benefit of recognizance, &c. also whether persons harboring absconding apprentices shall recover boarding clothing, &c. or whether they shall not be liable for their time, &c. A resolution of Mr. Banks was adopted, requiring same committee to inquire into the expediency of extending jurisdiction of the circuit courts to causes pending in the district courts & courts of common pleas, wherein new trials have been or may be granted; and to causes removed by writs of error to the supreme court, in which venire facias—ses de novo, have been or may be awarded, &c. The Loan bill came up as the order of the day, and is as follows:

SECT. 1. *Be it enacted, &c.* That the Governor be, and he is hereby authorised, to negotiate a temporary loan on the credit of the commonwealth, not to exceed one million of dollars, at an interest not exceeding five per centum per annum, with any bank or banks, corporation or individual or individuals, as in his opinion may be most advantageous, and the sum or sums of money so borrowed shall be paid to, and vested in the Commissioners of the Internal Improvement Fund, to be applied by them in payment of demands upon that fund, and the money so borrowed to be repaid to the lender or lenders within six months from the date of this act.

It was considered in committee of the whole. A considerable debate arose—Mr. Moore, of Erie, opposed it on the ground that he was ignorant of the manner in which the money already placed in the hands of the Canal Commissioners had been disposed of, in whom his confidence had been shaken. Mr. Wilkins was in favor of the bill—the sum appropriated last winter had been exhausted, and there was misery among those employed on the canal; and the state ought to lose no time in retrieving her credit, and fulfilling her engagements to those men, who ought not to be obliged to sell their certificates at 10 to 15 p. c. discount, as many had done. Mr. Mallory thought that the message contained all the information he expected at present, and that the object of the bill was to obtain a temporary loan, until ways & means could be devised for a permanent one. Mr. Moore thought a million was too much and proposed \$500,000. Mr. Wilkins reminded Mr. M. that as one million had been cut off the bill for three millions for which he voted last year, there must be a deficiency of that sum now. Mr. Mallory remarked that near one million was due the contractors on the 15th inst. and that another es-



timate would no doubt raise the amount above the sum proposed in the bill. Mr. Moore insisted that they ought to have some kind of estimate so as to know what had been paid for work done and to be done; and that the former canal commissioners had misled the legislature in their reports. Mr. Martin had two difficulties to get over—1st, as the terms in the present bill were the same as in the bill last year, and that failed, what reason was there to believe that this would succeed? 2d, as this bill raised the amount to what the Governor objected to last year, how he could with the same views sanction this—he wished the committee to rise. Mr. Galbraith objected, and stated that the Governor in his message had given strong evidence that he would not be opposed to this appropriation. Mr. Parke thought they had not sufficient information to understand the subject, and that if the Governor and Commissioners had run in debt, they might run the risk—that members ought to have further time, and the reports of the commissioners—he moved that the committee rise and sit again on the second Tuesday of November. Mr. Dennison thought this was no time for abandoning the system of internal improvements, and that although the commissioners had gone further than he might have wished, they had not proceeded as far as their extraordinary powers would have authorized—and that if the question was postponed, the character of the state, which stood pledged, would not be redeemed. Mr. Petriken stated that the debt for which the last legislature was called on to make provision was \$3,800,000, and that the appropriation was not sufficient to cover it—this bill was not to pay former loans, but honest creditors—the commissioners deserved credit for having proceeded with so much vigor, having completed 176 miles. Mr. Parke's motion to rise was negatived. The question on the bill was decided in the affirmative. Committee rose and reported to the house.

Items of unfinished bills referred, viz: relative to a state road on east side of the Susquehanna from Sunbury to Roger's ferry—relative to appointment of inspectors of lumber on the North Branch—relative to petition of Wm. Sheuff praying compensation for damages sustained by him in attempting to descend with his ark over the dam erected by the canal commissioners across the Juniata near Lewistown—relative to entering satisfaction on judgments, mortgages, and conveyances—to a state road in Montgomery co. Petition from A. M'Gill for damages sustained as a mail contractor by Penn'a Canal injuring the mail route.

*Wednesday, Nov. 11.*—An item referred relative to a state road from opposite Robbstown to Corkstown—also to a tax on Henrysburg for defraying expenses of water pipes, &c.—also authorizing Secretary of Land-Office to issue patents to certain actual settlers residing north and west of the Ohio and Allegheny rivers and Conewango creek—Judiciary committee reported a bill supplementary to an act to regulate elections, passed 15th Feb. 1799, and declaratory of the law in relation to the evidence required to entitle naturalized citizens to vote. Bill reported to establish Dundaff Academy—to erect part of Mifflin co'ty into "Juniata county"—to lay out road from Sunbury to Roger's ferry. The bill relative to Pennsylvania canal and rail road read a second time. Mr. Parke moved to postpone to 18th Dec. upon which there was a considerable debate—bill was ordered to be transcribed by a large majority.

*Thursday, Nov. 12.*—Resolution, requiring a statement of the amount of money paid on account of unpatented lands since act of April 8, 1829—Judiciary committee to inquire into expediency of a more general extension of the provisions of the act of 12th March, 1806, relating to securing the mechanics and others payment for their labour and materials in erecting any house or building in the City and Co. of Philadelphia—committee reported a bill, entitled an act relative to entering satisfaction, on judgments, mortgages and recognizances, made the order of the day for Thursday 19th.—

Act authorizing a temporary loan, read third time and agreed to. Yeas 73, Nays 20—as follows:

YEAS.—Messrs. Alexander, Anderson, Banks, Barlow, Barndollar, Bestress, Beaver, Black, (of Green) Black, (of Perry) Blair, Bushfield, Butts, Byerly, Carter, Cox, Craft, Cummin, Denison, Eneix, Evans, (Phia.) Ferguson, Fetterman, Frick, Fuller, Galbrith, Griffith, Hamaker, Hoffman, James, Kelsner, Laporte, Leaming, Linvill, M'Minn, M'Quaide, Mallery, Martin, Mathews, (of Camb.) Middleswarth, Mitchell, Moore, (of Erie,) Moore, (of Beaver,) Morgan, Morris, Newhart, Overfield, Parkhurst, Patterson, (Allegheny,) Patterson, (Washington,) Petrikin, Pettigrew, Power, Purviance, Rahn, Ramsey, Read, Rehner, Riter, Robison, Rhule, Sellers, Sloan, Smick, Stanley, Statler, Taylor, Tomlinson, Wagener, Waugh, [of Mercer,] Waugh, [of Wash.] Wilkins, Workman, Smith, Speaker—73.

NAYS.—Messrs. Doudle, Evans, [of Montgomery,] Fisher, Geiger, Hathorn, Knebley, Landish, Long, M'Conkey, M'Sherry, Matheys, [Mont] Middlecoff, Myers, Parke, Pugh, Rutherford, Sleimmer, Stauffer, Wanner—20.

*Friday, Nov. 13.* Resolution adopted—Judiciary committee to inquire into the expediency of so amending the penal laws, as to give conclusive jurisdiction to aldermen and justices, in cases of penal larceny—and to provide a more effectual remedy for trespass on the rights of property. The joint judiciary committee to report bill or bills for consolidation of penal laws. Item of unfinished business referred relative to digesting and publishing in a pamphlet, the laws relative to inland navigation and internal improvements.—Judiciary committee reported a bill authorizing the appointment of a reporter of the decisions of the supreme court—also the Secretary of the Land-office to issue patents to certain actual settlers in Ohio, &c.—also bill relative to hawkers and pedlars—East Sandy creek declared a highway—resolution for Purdon's Digest adopted, price not to exceed 5 dollars—bill relative to duties of supervisors in certain counties.

*Saturday, Nov. 14.*—Petitions for Pittsburgh and Birmingham Turnpike company. Also from citizens of Harrisburg, praying for a communication between Pennsylvania canal and the Susquehanna river, near said town, referred. Resolution adopted for Judiciary committee to inquire into propriety of providing by law that a judgment against one of several obligors or copartners on suits instituted against two or more, when only one is served, shall not be a bar to another suit against the obligors or copartners not served. Mr. Doudle offered a resolution, that the Legislature adjourn on the 18th November, to meet on 11th December, and members not to receive pay during the adjournment, laid on table. Bill reported to incorporate Shippensville and Emlenton Turnpike company. Bill on supervisors duties ordered to be transcribed. *H. Gazettes.*

#### EMBARGO IN 1755.

(From the original MSS.)

By the Honorable Robert Hunter Morris, Esquire, Lieutenant Governor and Commander in Chief of the Province of Pennsylvania and Counties of New Castle, Kent and Sussex on Delaware.

Whereas I have receiv'd certain Accounts, that a large French Fleet with a considerable number of Land Forces on Board is arriv'd at Louisburg; and there being Reason to believe they have great Dependence on being supplied with Provisions from the British Colonies in North America; I have therefore by and with the advise of the Council thought proper to lay an Embargo on all ships and vessels now bound or intending to go from any Port or Ports within this province and the Counties aforesaid for the space of one month now next, whose Cargo or any Part thereof shall consist of Provisions warlike and naval stores or amunition, and I do hereby strictly enjoin and command all and every the

Officers of his majesties customs within this Province and the Government of the Counties of New Castle, Kent, and Sussex upon Delaware that they do not under any pretence whatsoever permit, for the space of one month next ensuing the date hereof, without my special licence and Permission signified to them under my hand and seal at arms any ship or vessel to clear out of their respective offices for any port or place whatsoever, that shall have on board any more or greater quantity of provisions, warlike and naval stores or ammunition than shall be absolutely necessary for the several crews of such ships or vessels in the course of their intended voyage; Given under my hand and seal at arms at Philadelphia the third day of July in the year of our Lord one thousand seven hundred and fifty five and in the twenty ninth year of his majestys reign.

ROBT. H. MORRIS.

#### INSTRUCTIONS

To William Till, Esq. Collector of the Customs at New-castle, Pennsylvania.

SIR,

It having been represented to the Commissioners by several Merchants of London, That great quantities of European and East India Goods are run into His Majesty's Colonies and Plantations in America from France and Holland, and the Traders in Tea having particularly complained both to the Lords of the Treasury and this Board, that the trifling quantities of Tea which are sent from this Kingdom to the Plantations serve only for a cover to the vast consumption which is almost totally supplied by the Smuglers from abroad. I am directed by the Commissioners to recommend it to you in the strongest manner to use your utmost endeavors to put a stop to these frauds, and you are from the best information you can get, to report to the Board what may be the annual consumption of Tea in your Province, and whether any and what Seizures have been made of that commodity in particular, or any other Goods in the manner directed by my Letter of 28th Sept. 1750, distinguishing each Species of Goods and the value of each Seizure on the appraisement and sale.

I am, Sir,

Your most humble Servant

WM. WOOD.

Custom-house, London, 15th April, 1752.

#### MISCELLANEOUS.

MEADVILLE, Nov. 12..

Winter has come on in earnest with a brisk fall of snow, accompanied by a searching north wester.

On Wednesday last, twelve or fifteen wagons passed our door, laden with coal, destined for Rehdersburg, Berks county, a distance of twenty miles from this place. Thus new markets are springing up every day for our valuable mineral.—*Miner's Jour.*

Snow fell last Tuesday, 10th inst. on the Broad Mountain, to a considerable depth.—*ib.*

#### PITTSBURGH.

Extract of a letter to one of the members of the Legislature, dated Pittsburgh, Nov. 11, 1829.

"Pittsburgh, the emporium of Western trade—the favorite seat of manufactures, has at last been permitted to enjoy the benefits of the Pennsylvania canal.

Yesterday was probably a day of more enthusiastic feeling than Pittsburgh ever witnessed. The 10th inst. was fixed for letting the water in, to cross the aqueduct, but it was generally believed, that the exertions of man could scarcely be directed so as to effect it by that period. The acting canal commissioner with that promptitude and perseverance which distinguishes his character, persisted in his efforts, and to every petition for more time, responded by requiring more force. The men were in fine spirits, and went on cheerfully during

the night of Monday and up to twelve o'clock on Tuesday. Five minutes before the appointed hour, the water touched the Pittsburgh shore. In half an hour the canal was filled to the tunnel, and three packet boats crossed in fine style, hailed by ten thousand spectators, and under a salute of 105 guns from the artillery. The military crowned the hill back of the chapel, from whence they could command the whole scene.

Judge Wilkins, member elect from Allegheny to the next congress, has resigned his seat in Congress, consequently a special election will be held to supply the vacancy. *Henry Baldwin, Esq.* is announced as a candidate.

A *bee*, weighing eight pounds and four ounces, was raised in the past season in the garden of Robert Wilson, Esq. of Loganville, in this county.—*York Rec.*

The weather during last week was remarkably variable. On Monday the air was serene and mild, resembling that of the finest days of an Indian summer. On Tuesday we had a drizzling rain; on Wednesday it changed and became clear and cold; and on Thursday snow fell sufficient to whiten the ground. Friday was clear and moderate, and the snow soon disappeared from the streets, which, however, were again covered with sleet in the night; on Saturday morning the weather moderated, and in the afternoon we had rain; Sunday was a clear and pleasant day, but during the night the sky became overcast; and yesterday was principally cloudy, though not otherwise unpleasant.—*ib.*

#### INSOLVENTS.

Of 300 Applicants to the Court on the 20th October, there were

|                              |    |                      |    |
|------------------------------|----|----------------------|----|
| Laborers                     | 42 | Coachmaker           | 1  |
| Shoemakers                   | 24 | Chairmaker           | 1  |
| Merchants                    | 18 | Confectioner         | 1  |
| Weavers and spinners         | 17 | Cooper               | 1  |
| Carpenters                   | 15 | Currier              | 1  |
| Blacksmiths                  | 11 | Drayman              | 1  |
| Grocers                      | 9  | Distiller            | 1  |
| Bricklayers and brick-makers | 7  | Engineer             | 1  |
| Accountants                  | 7  | Frame maker          | 1  |
| Cabinetmakers                | 6  | Tanner               | 1  |
| Painters and glaziers        | 6  | Fringe weaver        | 1  |
| Tailors                      | 6  | Grate maker          | 1  |
| Butchers                     | 6  | Gunsmith             | 1  |
| Innkeepers                   | 6  | Goldbeater           | 1  |
| Mariners                     | 5  | Hose manufacturer    | 1  |
| Plasterers                   | 5  | Iron founder         | 1  |
| Bakers                       | 3  | Jeweller             | 1  |
| Combmakers                   | 3  | Leather dealer       | 1  |
| Manufacturers                | 3  | Lottery broker       | 1  |
| Shipwrights                  | 3  | Milkman              | 1  |
| Stonecutters                 | 3  | Manufacturer of wine | 1  |
| Traders                      | 3  | bitters              | 1  |
| Brassfounders                | 2  | Ornamental painter   | 1  |
| Comedians                    | 2  | Oysterman            | 1  |
| Farmers                      | 2  | Oster                | 1  |
| Porters                      | 2  | Pewter manufacturer  | 1  |
| Storekeepers                 | 2  | Pewterer             | 1  |
| Turners                      | 2  | Pedlar               | 1  |
| Upholsterers                 | 2  | Printer              | 1  |
| Waiters                      | 2  | Paper maker          | 1  |
| Watchmakers                  | 2  | Rigger               | 1  |
| Tin manufacturers            | 2  | Ropemaker            | 1  |
| Teachers                     | 2  | Ship carpenter       | 1  |
| Auctioneer                   | 1  | Sailmaker            | 1  |
| Bandbox maker                | 1  | Shingle dresser      | 1  |
| Boardinghouse keeper         | 1  | Stonecutter          | 1  |
| Tobacconist                  | 1  | Suspender maker      | 1  |
| Whipmaker                    | 1  | Masons               | 1  |
| Collector                    | 1  | Watchman             | 1  |
| Bookbinder                   | 1  | Unknown              | 19 |
| Cotton carder                | 1  |                      |    |

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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## REPORT OF THE COMMITTEE APPOINTED BY THE PHILADELPHIA MEDICAL SOCIETY,

To take into consideration the propriety of that Society expressing their opinion with regard to the use of

### ARDENT SPIRITS.

The Committee appointed Jan. 24th, 1829, to take into consideration the propriety of this Society expressing their opinion with regard to the use of Ardent Spirits, and to frame such resolutions as they may deem proper.

#### *Respectfully Report,*

That they have given their earnest attention to the subject entrusted to their consideration; and hope, in addition to those reflections which naturally arise in a medical mind, from the contemplation of this important public evil, to furnish some interesting estimates from the labours of others. In so doing, they have been in part compelled, from the very nature of the undertaking, to proceed upon the traces of those of their fellow citizens who are now engaged in similar inquiries; but they hope to be able to present the matter in some points of view, and to glean from some documents and other sources of information, which have, as yet, escaped the search of their immediate predecessors.

Your Committee, in inquiring into the destructive effects of drunkenness, and the deep stake which society has in preventing them, have not felt any great room or necessity for an enlarged discussion. The disastrous consequences of this degrading practice are, unhappily, but too apparent to every one who witnesses, with a human interest, the good and evil fortunes of his fellow creatures. We behold them in the destruction of health, strength, riches and respectability, and, according to the views which religion has given us of the counsels of the Supreme, in the future misery of an immortal soul.

To no class of men is this dreadful concatenation of distresses more visible and more forced on the attention, than to physicians. The ordinary course of our engagements, which brings us so perpetually in contact with disease and poverty, obliges us likewise to see, in the production of these evils, the prevalent and steady influence of spirituous liquors. Besides a numerous class of maladies, of frequent occurrence, to which their use obviously and in a peculiar manner gives rise, they are unquestionably the indirect cause of a still larger number. Their direct effect in exciting to action an existing tendency to gastric and hepatic disorders, or in creating a disposition to them among individuals exposed to the other causes of these morbid derangements, has often been commented on by writers of authority.—Nearly as large a share may, with safety, be ascribed to intemperance in the production of diseases of the brain. Although, from the best authorities, it would now appear, that the agency of this cause in producing insanity has been over-rated,\* yet, in epilepsy, apoplexy, palsy, hypochondriasis and hysteria, its destructive effects cannot be mistaken; while it has exclusively to itself the responsibility of creating that peculiar and frequently mortal affection, known by the names of delirium tre-

mens, or, less properly, mania a potu. Beyond comparison greater, too, is the risk of life undergone in nearly all diseases of whatever description, when they occur in those unfortunate men who have been previously disordered by these poisons. In attempting to judge of the probability and proximity of death, besides age, strength and general constitution, the physician who wishes to avoid the probable sources of error, always finds it necessary to inquire into the temperance of the subject.—The intoxicated are also incomparably more exposed to the ordinary causes of disease, from the imprudence to which their privation of reason and judgment so uniformly give rise. Thus they suffer from simple exposure to the weather, from falling asleep in improper situations, and from the want of food. In times of pestilence, those who indulge in intoxication are more severely affected, and retain less stamina to resist the onset of the malady; and to all this may be added the deep and powerful influence which mental anxiety, remorse and mortification, during their calmer hours, unquestionably exert, in sharpening the pangs of disordered nature, and exhausting the vitality intended to support them.

One of the most destructive examples of the aggravation of mortality from this source, is the liability of persons of intemperate habits who meet with fractures and other severe hurts, to the disease called delirium tremens, or mania a potu. Great numbers of accidents annually occur among the labouring classes, of which those who are temperate in their habits regularly recover, while their intemperate mates, with equal original injury, sink under a complication of the latter with that affection which arises from their use of spirituous liquors. For the truth of this remark, it is enough to appeal to the experience of any of those who attend our hospital and alms-house. It will there be found an observation familiar in the mouth of every one, that the intemperate perish of diversified injuries in a ratio altogether disproportionate to the mortality of the other sufferers; a remark which ought to have peculiar terrors for the intemperate among the poor; as the laborer thus unexpectedly deprived of the safeguard of that strong constitution upon which he depended for his power of supporting hardships, and for his recovery from those accidents to which, from his way of life, he is peculiarly exposed.

This catalogue of destruction may be wound up with those rare and dreadful events, so full of wonder and horror that credulity seems tasked to believe their actual occurrence, the instances of *human combustion*. So strange and incredible do these narratives appear, that the reader may well be excused from lightly yielding credence to their reality; though evidence, the most authentic in appearance, has accumulated to such an extent that we feel constrained to admit them true. From such various quarters do the accounts reach us, so independent are they of each other, so free, in many cases, from visible motive for deception, so public in the inspection of the scorched remains, and accompanied, in one instance, with such authentic judicial forms, that we cannot avoid considering it as proved that the bodies of those who have indulged, through a long life, in habits of intoxication, are liable to become food for the destroying element, and to be consumed while yet alive.

\*Fodere. Also, *vide* the facts collected by Pinel and Esquirol.

While, in our investigations of physical causes, we are bound to adhere, as closely as possible, to the comparison of facts with others previously known, we can hardly refrain from tracing, in this terrific form of death, the direct and avenging interference of an insulted Deity.

If such be the truly distressing amount of morbid evils to which the unhappy propensity alluded to exposes its victims, its agency in the production of poverty and dishonesty is not less obvious to the members of the medical profession. We have frequent and melancholy opportunities of witnessing, in the abodes of the unfortunate, the manner in which pecuniary difficulties are generated; and we believe it is the universal sentiment of those who possess such means of information, that the greater portion of the existing distress in this country, is the result of the employment of ardent spirits. To make good this strong assertion, it is only necessary to recount the poverty which is the result of diseases produced by intemperance, the actual loss of time consumed in spirituous potations, the money expended on them, which, small in each single instance, amounts, by its thousand repetitions, to a heavy draught on the funds of the laboring poor, the loss of character and consequently of employment, the destruction of punctuality in pecuniary engagements, and, as a necessary result, of credits and the domestic quarrels and waste of the household. Against the combined action of all these causes no human industry can successfully contend; and we accordingly find the habitually intemperate unable to discharge their engagements, *always* in want, and, if they do not either yet possess a fund to expend, or receive assistance from their friends, always in actual suffering.

Your Committee are far from willing to cast reflections upon the poor. There is no station in life which is more entitled, intrinsically, to our high respect, than honorable poverty. Yet, though poverty be the infliction of Providence, and the natural condition of the whole human race, it is notorious in the moral world, as the cruellest thing of misfortune, that it subjects us to temptation; and it cannot be doubted that we meet with that species of moral offence which consists in incurring obligations beyond the power of the individual to discharge them, most frequently as the result of pecuniary distress, and that distress, very often, if not generally, as the consequence of the use of spirituous liquors.

In order to enable the members of this society to judge at a glance, of the extent of physical evil, in the shape of *disease*, induced by intemperance, your Committee have thought it proper to refer, for this purpose, to the last annual bills of mortality for the City and Liberties of Philadelphia. Your Committee are well aware, that, in order to execute this task with the best approximation to accuracy of which the case admits, it would be necessary to induce a number of physicians, practising among diversified classes of society, to keep a register with this especial object. Each individual so employed should carefully note down the whole number of deaths occurring under his care during a year; and designate that proportion of them which may, in his opinion, be fairly referred to the cause alluded to. Such a register should be carefully made to embrace those who have passed out of his charge during the continuance of their last illness; unless where the physician who succeeds him is engaged in preparing a similar record.—For reasons easily apprehended, this course is indispensable to the formation of a just numerical average. Documents thus obtained would possess a character for accuracy truly valuable; not that they would obtain that absolute certainty which, in this case, is really impracticable, but that they would furnish the nearest approach to it. Your Committee, therefore, would respectfully but earnestly press upon the members of this society the formation, individually, of such a register.

In the mean while, in the absence of such more authentic materials, your committee have thought it advis-

able to offer those judgments and opinions which they have been induced to form from their experience as practitioners, of the proportion of the deaths enumerated in the bills of mortality which may be reasonably ascribed to intemperance. In doing this they have experienced great difficulty, and they are well aware that their conclusions must necessarily possess a character highly conjectural. By running over the diseases mentioned in the bills, and making an estimate of each, the total amount averages about one-sixth of the whole; or 700 deaths in 4292. A very large proportion of accidents, such as burns, fractures, &c. are referable to this cause; as also are an equally large share of the diseases of the head, as apoplexy, epilepsy, &c. The deaths reported as from drinking cold water, are, your committee believe, not unfrequently really produced by drinking spirituous liquors; which are often given as a remedy where the disease in fact is apoplexy, or at least, congestion in the brain. A considerable share of the fever cases are, they apprehend, owing, directly or indirectly, to the same cause, as well as various inflammations named in the bills. In this estimate are included those cases which were not originally occasioned by intemperance, but which owe their aggravation and mortality to that source; and it is also believed that a portion of the still-born children receive their death from the intemperance of the mother, or from violence and other mal-treatment received by the latter and produced by the same cause.

To confirm the impression that these opinions and estimates are not exaggerated, by exhibiting an extent in the operation of the cause which may appear adequate to such an effect, your committee take the liberty to abstract a statement of the number of houses in which distilled liquors are sold, from papers which have been already laid before the public. In their opinion, the results are surprising and alarming; they cannot be too often presented to view, and are quite applicable to the subject of their present inquiry. By tables collected under the direction of the Temperance Society of this city, and published in Hazard's Register of Pennsylvania, of the 7th of February, 1829, it appears from an actual enumeration made in the Summer of 1828, that the City of Philadelphia, the Northern Liberties, Penn Township, Kensington and Southwark, estimated from the taxables at a population of 159,480 individuals, contained no less than 1239 houses in which spirituous liquors were sold; or one for about every 129 persons of all ages and both sexes. In one section, the proportion runs as high as one to every 79 persons, or, of individuals above 18 years of age, one to every 39. That is, there are no 39 persons grown up in the district who have not a tavern to support; or there is a tavern to every twenty men!

Corresponding impressions with regard to the extent of the evil may be gained from the replies to one of the queries circulated by the committee of superintendence appointed by the Citizens of Philadelphia, at a town meeting held February 17th, 1817, "to devise measures for the relief of the poor and the prevention of pauperism." Circulars were sent, on this occasion, to those individuals who were engaged in the management of the various public and private charitable institutions in the city; as well as to such other persons as were deemed capable of imparting the desired information. Public attention being, at that time, strongly directed to this important subject, replies were very generally obtained from the individuals so addressed; no less than thirty out of thirty-three guardians of the poor alone responding to the printed letters. From the official abstract of the replies thus obtained, we extract the following query, and its general answer.

"Query 10. Is, or is not, the use of ardent spirits the cause of poverty; and do, or do not, those who receive, expend the means afforded for their subsistence in purchasing that article?"

"Answer. All the reports, excepting in one or two

instances, reply to the former part of this query in the affirmative. The following extracts, written by different persons, will exhibit, at one view, the almost universal sentiment upon this subject."

The authors of the abstract alluded to, then proceed to insert nine extracts from different reports, all strongly inculcating the prevalent agency of this cause of poverty.

Your Committee, in order to correct or confirm their views on this subject, resolved to make an application to the members of the late commission appointed, under a law of Pennsylvania, to investigate the cause of pauperism. Some of their number accordingly waited on Messrs. Vaux and Pettit. From these gentlemen it is unnecessary to state that they met with every politeness, and the strongest disposition to favour their inquiries. The documents collected by the commission are in the hands of individuals amply competent to the task, for the purpose of forming an abstract; which we hope will soon be laid before the public in a most valuable weekly journal, to which we have already had occasion to refer. The members of the commission above named, in their private capacity, fully concurred in the views which we have expressed in the preceding paragraphs; and this testimony is the more valuable from the very enlarged advantages which they possessed for forming a judgment on this highly important subject. In the mean time, we were allowed to inspect a large mass of documents, furnished by the secretaries of various charitable associations in this city. Many of these omitted, in their reports, to reply particularly to that query which related to the causes of the distress which the societies were intended to relieve; and some of the latter appear, by their regulations, to exclude the intemperate from the benefit of their funds. The reports of nearly all the others mention ardent spirits among the principal causes of poverty; and several of them in very strong language.

Having become thus impressed with a sense of the enormous extent of the evil they are investigating, your Committee propose next to consider the means which we possess for its discouragement and prevention; intending to conclude by some remarks which appear naturally to flow out of the peculiar situation of members of the medical body.

The means of preventing intemperance have been recently the subject of considerable public attention and some discussion. They naturally divide themselves into the *medical* and the *moral*.

Of those means afforded by the art of medicine for the cure of that unhappy propensity but little was known till of late years. A few scattered and isolated cases, frequently resting on doubtful authority, are all that can readily be found prior to the inquiries of Dr. Cramer. This physician published, in Berlin, in 1819, an essay on the passion for intoxicating liquors; which he found accompanied by so many morbid symptoms, as, in his opinion, to justify the considering and treating it as a disease. Other cases were collected by Dr. G. Adersbach; and Dr. Hufeland, the editor of a German Medical Journal, of high character, has given the malady the name of *dipsomania*,\* which may be paraphrased by "insane thirst," or "thirsting insanity." The catalogue of symptoms, most of which, indeed, can be recognised in many of our drunkards, your committee will not abstract. Drs. Cramer and Adersbach found this affection varying in duration from a few days to several weeks, and, in different cases, either continued or intermittent, mild or severe, mortal or terminating in recovery. They combated it with bleedings of various amounts, with warm baths, the semicupium, and acidulated watery drinks. They found it the most successful practice not suddenly to deprive the patient of the whole of his accustomed stimulus, but to make the change gradually; and they derive advantages from re-

placing it by substances capable of deceiving the taste; such as potions made with a combination of alcohol and ether, or ether itself, administered on lumps of sugar, to be held in the mouth. Opium was frequently found necessary during the cure.

Of a date subsequent to the above is the following paragraph, quoted from Johnson's Medico-Chirurgical Review for September 1824; and in this is contained all the information which we possess, from a foreign source, relative to the particular use of sulphuric acid as a cure for intemperance: "In one of the foreign Journals it is stated that a German physician, M. Brühl Cramer, has discovered that the exhibition of diluted sulphuric acid, with occasional bitters, causes, at length, such a disgust towards brandy and other spirituous potations as to eradicate the disposition to inebriety." This brief hint was sufficient for our inquiring and indefatigable townsman and fellow-member of this society, Dr. Brinckle. What indeed appears "like bread cast upon the waters," became, in his hands, productive of fruitful results. In his essay on the subject, contained in the fourth volume of the North American Medical and Surgical Journal, published in this city, he gives the highly successful results of a number of cases in which he administered the acid with this view. Your committee early felt that they could not do justice to the subject of their inquiries without requesting of Dr. Brinckle the inferences afforded by his further experience. Accordingly, one of their number addressed him a note, to which was promptly returned the polite reply which they have inserted in the Appendix to this Report.

In addition to the remarks of Dr. Brinckle, your committee have collected but little. Some of their number have made trials of the sulphuric acid; and success has appeared, in a part of the cases, to crown their efforts; while the event was, in other instances, doubtful and disappointing. The general impression which they have received from all which they have seen and read on this subject, is, that the sulphuric acid is well worthy of further trials in cases of habitual intemperance; while on the other hand its usefulness is greatly diminished by the frequent unwillingness of patients to take it, by the difficulty of disguising it, and by its occasional failures.—They are happy to state they have met with no instance in which this remedy appeared productive of injury. It is hardly necessary to add that they repose every confidence in the accuracy and candour of Dr. Brinckle's statements. On the whole they will conclude with recommending the members of this society, to make further trials of the acid in conjunction with the other medicines advised by Drs. Cramer and Adersbach.

With regard to those remedies, the obvious and undeniable operation of which takes place by the production of nausea, your committee find themselves in nearly the same situation. They are obliged, as before, to draw a large share of their information from Dr. Brinckle.—They have heard of one or two successful and corroborative cases; and they can adduce trials from their own practice, in which, however, the effect was doubtful.—The administration of nauseating remedies for the purpose of producing an aversion to spirituous liquors, would seem to harmonize well with that practice, highly recommended by some, of treating delirium tremens by the same articles. Your committee have only to add, as before, the expression of their anxious wish for the collection of additional facts.

In the class last mentioned is generally ranked the popular remedy of Dr. Chambers. Of this your committee have learned but little. It is generally sold from shops to individuals who employ it without the presence of experienced and scientific men. They are disposed to view a medicine composed of such active ingredients, and empirically used, with great mistrust. It is believed that the principal beneficial effects of this compound are owing to the presence of emetic tartar. One of their members states that two or three cases are known to him in which death followed the administration of this

\* From *dipsa*, thirst, and *mania*, insanity.

remedy as rapidly as it succeeds that of a dose of arsenic. It cannot be denied, on the other hand, that the use of this article has, in some instances, been followed by an aversion to liquor enduring for a more or less considerable interval of time.

With regard to the *moral* means of diminishing intemperance, the first and most obvious course, the institution of such public measures as are calculated to raise the price of spirituous liquors, would appear to be forbidden by the political state of the country. It is understood that a majority of our fellow citizens have expressed their opinion in opposition to the proposed plans, in such a manner as effectually to prevent any reasonable expectation of their speedy adoption. We apprehend, then, that those are in the right who aim at the suppression of intemperance by acting, in a gradual and persevering manner, upon public opinion; that the friends of sobriety should exert their private influence in their proper sphere, and endeavour thus to increase their numbers, in hopes, by this means, to accelerate the approach of a period, when a decided and overwhelming majority of the people shall agree with them in their sentiments on this subject. The government of this nation is emphatically one of the people; and when the opinion of the community is once distinctly expressed, the legislature will follow it of course. It is therefore to the private and personal influence of each individual that your committee think the task should be referred; and upon physicians it seems peculiarly imperative, both from their frequent opportunities, their knowledge of the case, which is unquestionably greater than that possessed by any other class of citizens in the community, from the respect attached to their character, and from the wide extent of their influence. Every member of the nation, and, in particular, every physician, aware of the magnitude of the evil, and of the existence of a simultaneous effort to reform it, has it in his power to exert a salutary influence among his acquaintance, by precept, where that is admissible, and universally by example. It is, however, to the latter that we conceive it particularly important, at the present time, to direct the members of this society. Physicians unquestionably possess greater opportunities for bestowing useful advice on this subject than most other citizens. It is frequently their solemn and imperative duty to forewarn the individual, who tempts the fatal bowl, of the danger he is incurring to his health and his existence; and where their character is calculated to command high personal respect, they are enabled sometimes to give moral and prudential admonition. Yet to the physician these opportunities are frequently, perhaps generally, forbidden by that proud feeling of independence which must be respected, as it forms a necessary ingredient in the character of a high-spirited and honorable population. While the moral adviser, then, finds his arguments always augmented in their influence by a corresponding example, in a variety of other instances, the example is the only means which he can employ.

It is, indeed, surely to be hoped, that the great body of the profession do, at the present moment, discharge this obligation, by refraining from the intemperate use of alcoholic liquors. Yet it is the lamentable fact that instances exist in which this is not the case; and mortifying and distressing are the occurrences to which these exceptions have given rise. But it is not with the unfortunate victims, as your committee apprehend, that labour can be employed with advantage. The instances of recovery from habits of intoxication, though such sometimes occur, are unapparently so rare as to leave but little encouragement for efforts in these quarters. The united force of all the moralists, and the concentrated voice of numerous friends are too commonly unavailing to arrest the degrading practice. It is then to those who are as yet free from this unfortunate propensity that we are to appeal. With these it may be said that our labour is unnecessary, and that they already furnish the example of which we speak. Yet we apprehend in

this point a still more complete and impressive effect is to be desired; and that those of our fellow-citizens are in the right who, at various times, and particularly at the present moment, endeavour to effect the entire disuse of intoxicating liquors. Between the moderate and the immoderate employment of these substances, there is no clear dividing line. They are only separated by insensible and ambiguous gradations; to slide through which is the natural propensity of every one who indulges in them in any degree. Originally adopted for the purpose of producing a vivid impression on the nervous system, and one which forms no part of the gratification of any natural appetite, ardent spirits are notorious for the facility with which the human frame becomes familiarized to them; and, in order to renew the sensations enjoyed at first, it becomes indispensable to increase the dose. This change takes place by such slow degrees that the patient is seldom aware of the fact, and finds himself subjected to an imperious craving, where he fancied he was only enjoying an indulgence capable of being regulated by a proper discretion. It is desirable, therefore, in order to effect a salutary reformation in this respect, to disuse spirituous liquors altogether.—It has been well remarked that no man ever became a drunkard without first using intoxicating liquors moderately. On those who consume them immoderately, efforts are generally wasted; and it is only among those who are as yet temperate in their employment that benefit is to be expected.

These arguments, or a part of them, have been extensively used among our fellow citizens; amidst whom physicians have been considered as holding the same stake and incurring the same responsibility with men of other professions. Yet there exist considerations which may well induce the question whether we do really stand on the same ground with others. Are not physicians in various ways the *means* of introducing habits of intoxication? Are they not, in too numerous instances, instrumental in leading their patients into this destructive practice, by the long continued use of these substances as a medicine, and by speaking of them and recommending them as restorative? How many deplorable cases of intemperance, in men of previously irreproachable character, trace their origin to a long course of stimulation for the cure of typhus fevers and the recovery of strength! There was a time when this evil existed to a far greater degree than it does at the present moment. We allude to the epocha of the Brunonian theory. Never, probably, was there an instance where the hypothesis of a single man produced such powerful effects upon the minds of his cotemporaries, in disorganizing useful science, and leading the wise into error, as in this celebrated, but ill-starred medical doctrine. After suffering mortification and persecution during his lifetime, Dr. John Brown was destined, after his death, to exert a splendid but destructive influence upon the great mass of the medical profession. By this strange aberration of unfortunate genius, it was taught, that inflammatory affections of different parts of the body, were, comparatively, of but little importance. Pleurisy, pneumonia, phrenzy, &c. derived almost all their severity and danger from the general affection of the whole body with which they were accompanied. This affection was pronounced to consist, in nine cases out of ten, in direct or indirect debility; and this debility was to be met with powerful stimulants. The practice corresponded with the theory; and the wild, though ingenious pages in which the latter is disclosed, but too much exhibit the sincerity of the candid author. Stimulation, to the most extravagant extent, was often the notorious consequence; and at last the patient was not unfrequently landed in habitual drunkenness. Among those diseases in which weakness was most conspicuous was *typhus fever*; and Brown introduced a habit of pouring strong liquors into patients suffering with that malady, which is thought by many physicians to have left a perceptible effect upon the usages of the present day.—

Your Committee are inclined to the opinion that more stimulation is even now occasionally resorted to than conduces to the patient's speedy recovery; such a practice being liable to increase and prolong inflammations of the brain, stomach, lungs and other parts of the body, some of which affections occur so generally in fevers.—They decline embarking in any pathological or therapeutical discussion; which course they conceive not adapted to the furtherance of their present duty. They take the occasion, however, to remark that what has been called the *physiological medicine*, goes still farther than any former doctrine to discourage the unnecessary employment of spirituous liquors.

Whatever be the practical impression of the physician, and wherever he may be disposed to draw the line at which he would limit the employment of stimulants, your Committee are strongly impressed with a sense of the moral duty of avoiding the unnecessary use of these substances; and, in particular, of employing the weight of personal character to discountenance the future repetition of it. This is alike obligatory for the sake of the patient's health, prosperity and moral character. If the physician recommend spirituous substances, and particularly if he characterize them as a strengthening remedy, calculated to relieve the popular fear of weakness, it is the more incumbent on him to obviate, as far as he can, the mischievous consequences of what he has done, by direct cautions to his patient. He should never leave in the hands of those who entrust him with the care of their health and lives, a poison, equally destructive to their moral and physical nature, but bearing an unqualified recommendation upon medical authority. Yet even here, in the opinion of your Committee, his obligation does not end. It is not sufficient that he should himself avoid the needless employment of these substances in his practice, and, where he is obliged to prescribe them, afterwards make his patient aware of the danger he has incurred; the medical attendant should, where possible, see his patient safely to the end of his stimulating course. Without this, he incurs the blame of having led a human being who has asked his advice into serious danger, and forsaken him before the peril was over.

The importance of these precepts has been fully appreciated by several of those wise and good men who have preceded us in the profession of medicine. The late Dr. Fothergill informed an American physician, then in London, of the success with which he had treated a slow typhoid fever by means of brandy. He, some time afterwards, took pains to converse particularly with the same individual for the purpose of cautioning the latter against the remedy Dr. Fothergill had himself recommended; as all the patients who had thus taken it by his advice had subsequently become habitually intemperate. This fact we have upon the authority of the physician himself alluded to—the venerable Dr. Thomas Parke; who, through his long and useful life, has steadily continued to inculcate the duty of physicians to discourage spirituous liquors. In the same list may be included our lamented Rush, Wistar, and Griffiths.

There exists a class of cases in which stimulants appear to be really necessary; and in these your committee conceive a sound discretion will frequently discover opportunities of substituting those of another character to the seductive agents which are the source of so much vice and misery. Red pepper, hartshorn, and, where action on the nervous system is required, opium, assa-fetida, and camphor, will frequently render these articles entirely unnecessary; while, in other cases, they may be equally superseded in their restorative effects, by pure or aromatic bitters, preparations of iron, and acids, by nourishing food, or, again, by fermented liquors, which contain alcohol in a less concentrated and safer form.

The principles we have above stated relative to the use of ordinary distilled liquors, are in every respect as applicable to the employment of *tinctures*; the spirit-

uous nature of which alone forms a strong objection to them as a class of remedies. There is no doubt that many cases of intemperance owed their origin particularly to the use of bitter tinctures. Considering the small amount of useful medicinal matter which enters into these latter compounds, and the large proportion of alcohol they contain, it appears to admit of a fair inquiry whether they would not be better expunged from the pharmacopœia. To attempt to cure intermittent fever by the unaided powers of tinctures of bark and quassia, would be considered unwise by one; while, at the same time, these are abundantly sufficient to produce a habit of intemperance, and, not very unfrequently, are really its efficient cause. One of your committee has met with a case where an individual of the most correct and delicate deportment, actually acquired habits of intemperance, and was brought to the brink of the grave, by the means, unsuspected by herself, of the *compound spirits of lavender*.

A powerful means of counteracting intemperance consists, as your Committee apprehend, in promoting the use of such innocent substitutes for spirituous stimulants as are calculated to restore the natural feeling of health in persons exhausted by fatigue. One of these, which has had, as they believe, a very great and beneficial influence, consists in the cheap and generally diffused luxuries of Seltzer and Soda-waters. In very many cases, it is thought that coffee might be advantageously employed with this object. Another substitute, to which the industry of our citizens has shown our climate to be well adapted, is the lighter wines. The remark has been often made that the countries in which these are raised in large quantities do not abound with instances of intemperance; and it is to be hoped that such will soon be much more than at present the condition of the hills of Pennsylvania, Maryland, and New-Jersey; a change which, it is believed, may take place without any injury to our agriculture. The stronger wines, and particularly Madeira, are known to be combined with so large a proportion of brandy that they are in this respect rather objectionable than advantageous.

In the discharge of the duty to which we invoke their attention, physicians are obliged to encounter various popular prejudices, which greatly tend to the perpetuation of intemperance, and the abolition or correction of which is therefore much to be desired. These, in common with many other opinions, entertained both by the ignorant and the educated, are the result of the medical theories of the last age; and it therefore seems peculiarly incumbent on physicians to do their utmost to remove them; both as a debt due from the medical profession, and for the purpose of demonstrating to an incredulous world that our doctrinal opinions, instead of a succession of mere fluctuations, have undergone a real advancement. One of these prejudices, and perhaps the most important, is the idea that spirituous liquors have a powerful and useful tendency to increase strength.

Immediately after swallowing a spirituous draught, the functions of the mind undergo a lively and irregular excitement, the imagination is quickened, in a majority of persons cheerful emotions are produced, and the individual is so occupied with his internal sensations that he loses a portion of his consciousness to impressions received from without. His passions, which constitute the impulse urging him to exertion, are increased in their force and vivacity; while his reasoning powers, partaking in the general jubilee, become more quick and less accurate in the execution of their task. It is in this state of things that the intemperate labourer delights: he executes his toil or converses with his friend with a cheerful mind and a disregard of actual hardship or future calamity; he feels nothing but his present strength, and leaves care till the morrow. These happy moments, however, are soon followed by a change. The acquisition of strength is found to be only temporary; dullness, both of the passions and intellect succeeds, together with a diminution of the muscular power; a



tendency to sleep ensues: and it is seen that the subsequent exhaustion is in reality proportionate to the previous excitement; in short, that the drinker, instead of *increasing*, has only *used up* his vital powers, and is now weaker than before. Hence it is that, although spirituous liquors create a temporary energy, which may, under some circumstances, possibly enable him who drinks them to accomplish more than at another period, yet the reverse is the case in the long run; and, both as regards a consecutive series of daily labour, and the prolongation of life, alcoholic drinks are a real disadvantage.—The experience of all those who have employed numerous workmen, and who have made comparative trials, is decidedly confirmatory of what we here allege. It is, we believe, uniformly found that those individuals who have refrained from spirituous potations have actually done more work than they themselves had performed at a time when they indulged in this injurious practice.—Along with this come corresponding improvements in health, order, neatness, and domestic comfort; advantages, which, though they preach loudly in favor of abstinence, yet do not immediately bear upon the question at present before us. Not only, however, is there a greater absolute amount of work done, under equal circumstances, by those who abstain, but the work which is done displays marks of a superior condition of the mental faculties of the laborer—it is not simply more in quantity, but better adapted to the purpose in view.—Thus it appears that although spirituous liquors may excite to greater exertions in a task which requires but little assistance from the intellect, and may thus the better enable men to carry some particular points, yet, in the course of time, they really occasion a waste of strength, while, even in the sudden and temporary effort, the range of their applicability is confined within narrow limits. They may augment the headlong and unthinking courage which flings the horseman upon the bayonet; but wo to the array whose directing heads are under such influence. They may encourage and assist the writer to bolder flights of imagination; but his temulent efforts will betray the Hippocrene from which he derived his inspiration. In all the arts which benefit the human race, whether by accumulative toil, ingenious fancy, or grave and profound reflection, your Committee believe that stimulating potations will always be found to produce a heavy diminution of usefulness. In mechanical strength, in the capability of enduring hardship and fatigue, in the force and clearness of the intellectual powers, the temperate can stand no comparison with individuals endowed with the same natural advantages, who abstain totally from the use of ardent spirits.

Similar results are also met with as regards the effects of spirituous liquors on the prolongation of life; and, in general, popular opinion sufficiently bears us out in the assertion. We sometimes, however, hear it said, when physicians would proscribe the stimulating draught, that facts may be produced in direct opposition to this opinion; and that hundreds have been known, who, though almost daily intoxicated for year after year, have yet arrived at a great age, and enjoyed the same good health as those who have followed the strictest rules of temperance, or who even, like Cornaro, have lived by weight and measure. Some, but very few, instances of this kind we grant might be adduced; but they form no proportion to the number who fall early victims to what they may perhaps have considered a moderate indulgence. Exceptions are said to prove the correctness of a rule. A seaman has been known to fall from the mast-head of a ship, and to be taken from the deck with his limbs uninjured. To attempt to infer, from the instances above alluded to, that spirituous liquors are not unfavorable to longevity, would be exactly as rational as to conclude, from the sailor's escape, that it was equally safe for his ship-mates to repeat his desperate experiment. It is the unanimous experience of every recorded age that temperance in all our actions is the only probable means of insuring a continuance of life and

health, and of prolonging to an advanced period our physical strength and the integrity of our mental powers; and in no respect is this more emphatically true than as regards the use of alcoholic liquors.

The question might here be asked, "to what extent may the use of distilled spirits be indulged in without injury to the constitution, or what is the smallest quantity capable of producing pernicious effects?" This query is very readily answered. Under ordinary circumstances, ardent spirits, in any quantity, whether great or small, are injurious to the health of the system. Pure water is confessedly the most natural and most proper drink of man; but if one more stimulating is required, it should be sought in the less pernicious class of fermented liquors. Your committee would not wish to be understood as classing among the intemperate those who are in the habit of occasionally making use of moderate quantities of ardent spirits. Nevertheless, they cannot avoid remarking that such a practice is productive of bad effects, to a less extent, it is true, and more slowly, but not less surely, than when the quantity is sufficient for the production of intoxication. The individual who indulges in this habit, is also exposed, let his resolution and strength of mind be what they may, to the danger of gradually falling into the excessive use of a daily beverage, subversive of the health of his system, both corporeal and mental. He resembles, indeed, the traveller who prefers a dangerous path along the brink of a precipice, trusting in the strength of his brain and the accuracy of his eye, and neglecting the safe and ample road in the valley beneath.

A class by no means inconsiderable in their numbers become drunkards from an absolute persuasion that stimulating liquors are in some degree necessary, or at least that they contribute to the well-being of their constitutions. To these, ardent spirits are what the pretended Panacea or Elixir Vitæ was to the older chemists. They guard their votaries from the cold and damp on the one hand, and from those of excessive heat on the other; and when not required as a shield against these evils, they are frequently taken from a vague idea of their benefiting the stomach. It is well known to physicians that cold and dampness have a more pernicious influence upon the bodies of drunkards than upon those of the temperate. The abuse of alcoholic liquors acts in different ways in subjecting the patient to the attacks of disease from the influence of cold. Although, when under the immediate excitement of the intoxicating draught, they perhaps expose themselves with impunity to a degree of cold and moisture which would be injurious under other circumstances, yet, when the effects of the liquor have passed away, their systems are left in a condition far more liable to suffer from these causes than those of individuals habitually sober. At the same time, from the neglect of person and clothing invariably attendant upon a state of inebriety, the drunkard is most constantly exposed to circumstances peculiarly favorable to the production of disease. In regard to rheumatism, in particular, that scourge of the laboring classes, an eminent physician\* has laid it down as a general rule that those who live a life of sobriety and drink water only, are but rarely affected with it. We have already alluded to a truth daily experienced by medical men, that all morbid affections occurring in the body of a drunkard are less readily managed and more frequently fatal than when they occur to the same extent in the temperate. Similar statements may be made in relation to the supposed effects of ardent spirits in obviating the injurious consequences of extreme heat. They may, by benumbing or obscuring the sensations, diminish the inconvenience actually felt at the time; but so far are they from a real protection that directly the reverse is the fact. Every year, during the summer months, numbers fall victims, in this and other cities, to the effects, direct and indirect, of the solar heat. Many of these deaths are

\*Poinsart.

ascribed to drinking cold water; and though this might appear to furnish an argument in favor of tempering the latter fluid with an admixture of spirits, yet the result of experience, both in New York and Philadelphia has been, that by far the greater part of these are in reality instances of apoplexy, caused by the heat and augmented by spirits given as a remedy; while, on the other hand, the majority of cases actually caused by cold water have occurred in the intemperate. The latter are also more exposed to the diseases of warm climates; which in them, are more unmanageable and more frequently fatal than in the temperate.

One source of intemperance in this city yet remains to be noticed, and may enter here. Your committee allude to the custom of serving out liquor, and that without measure, to the individuals engaged in extinguishing fires. Many young men and even boys are, on these occasions, induced to partake of it to a great extent, and in not unfrequent instances, have to date from that moment the commencement of intemperate habits. The fatigue and exposure to cold and heat to which our high-spirited youth subject themselves in their praise-worthy efforts to stop the progress of destruction, the thirst engendered by their muscular exertion, the forgetfulness of self with which they frequently sacrifice their health to preserve the property of others, the light, the clamour and the example of their comrades, all unite to prevent them from being really aware of the quantities which some of them too frequently consume. Your committee would earnestly press upon their fellow-citizens, in those alarming and spirit-stirring emergencies, the use of *coffee*, as a grateful and efficient substitute for spirituous liquors, and one much better calculated to preserve that clearness of the intellectual faculties, for the want of which much valuable property is occasionally destroyed.

Never did man commit a more gross mistake than when he had recourse to ardent spirits as a strengthener of the stomach—an agent to excite his appetite for food, and augment his power of digesting it. When the stomach is in a state of health, the smallest quantity of distilled spirits is productive of a proportionate diminution of appetite and derangement of the digestion. When diseased, almost any thing can be introduced into that organ with more impunity than alcoholic liquors. The majority, perhaps the great majority of the chronic affections of that part of the body owe their origin to intemperance in eating and drinking, particularly the latter.

Another popular impression, which occasionally has considerable influence in furnishing the drunkard with an excuse for continuing the habit he has already incurred, is the medical precept that it is dangerous suddenly to break off from the established use of ardent spirits.—Your committee cannot deny that there exists some foundation for this doctrine. Yet they conceive that it is true in so small a number of cases, that far more mischief is done by the remark than it is capable of preventing. They apprehend it may be in some measure disarmed of the injurious consequences occasionally drawn from it by a depraved ingenuity, if the practitioner, by the silent force of ocular example, will make the spectators of his operations aware of the extent to which other stimulants can be substituted for these more destructive ones. Your committee have already enumerated some of the former; and, without embracing any therapeutical discussion, will recommend their adoption, so far as the judgment of the physician shall approve, in the gradual diminution of the temulent excitement, and the treatment of its frequent consequence, delirium tremens.

It is perhaps sufficient to allude to the numerous other instances in which, from popular habit and opinion, alcoholic stimulants are employed for the cure of various diseases, as cholice, recent catarrhs, &c. in some of which, articles of an analogous class may be substituted, while, in others, all irritating matters ought to be avoid-

ed. Few errors are more commonly met with than to see the domestic practitioner either doing to the health of his patient an unmitigated, unmodified injury by the imprudent use of these articles as a medicine, or purchasing the partial stupification or the perspiration which they produce, and which might be much better obtained with other remedies, at the heavy expense of seriously increasing the malady he wishes to relieve.

To the observations which have been offered in the course of this Report, your committee hope that much need not now be added to place in its proper light the large share of responsibility which rests upon the members of the medical profession with regard to discouraging the use of spirituous liquors. At the present moment a great and powerful effort is in progress to promote this desirable purpose, by a very large number of our fellow-citizens, who have associated themselves under the title of Temperance Societies. Similar and persevering efforts have been made for many years by several religious bodies; among whom it is an act of justice to name, for old and long continued exertions, the society of Friends. Yet at no period has there been so large a portion of the community interested in this subject, and so hopeful a prospect afforded of producing a considerable change in public feeling respecting it, as at the present time. While we earnestly wish success, then, to the efforts of our philanthropic fellow citizens, your committee cannot help deeply feeling that this is no time for physicians to remain irresolute, or to pass with indifference a labour in which they are called upon to interfere by so many considerations. They stand implicated in this duty by their peculiar knowledge of the evil, by their widely extended opportunities of aiding in its correction, and, in a particular manner, by the fact, that, as practitioners, they are unavoidably the frequent though innocent cause of its further dissemination. And, while we leave to other bodies of men that sanctity and solemnity of appeal which belong to the character of the public officers of religion, it is our most imperative duty to forewarn the imprudent of the evils which impend over their physical systems; and, at the same moment, it is equally our obligation, as men, to alarm them, wherever the case admits it, for their safety from the other and multifarious disasters attributable to the unhappy practice of drinking spirituous liquors.

Your committee, therefore, respectfully beg leave to propose for the consideration of this Society the following

#### RESOLUTIONS:

*Resolved*, That this Society earnestly advises its members to employ their personal and private influence for the suppression of the moderate use of spirituous liquors, and that, for this purpose, the members are advised themselves to abstain from the use of spirituous liquors under any circumstances, except as a medicine.

*Resolved*, That the members are advised to diminish the employment of ardent spirits in their practice as far as is compatible with a careful and prudent consideration of the welfare of their patients.

*Resolved*, That the members residing in the city and liberties of Philadelphia are particularly requested to preserve an annual record of the whole number of deaths occurring in their practice, and also of the proportion of these occasioned, in their opinion, by the use of spirituous liquors.

CH. D. MEIGS.  
D. FRANCIS CONDIE,  
R. M. HUSTON,  
EDW. JENNER COXE,  
B. H. COATES.

The above Report was read and ordered to be published, and the resolutions adopted, July 11th, 1829.

## LAW CASE.

Commonwealth ex relatione } Habeas Corpus, before  
Williams vs. } J. Millvaine, Esq. Re-  
Reakirt, Keeper of the Prison. } corder. Nov. 17, 1839.

OPINION.—A single glance at the warrant of commitment in this case satisfies me, as it has the counsel attending for the Commonwealth, that the prisoner was illegally committed, and must now be discharged. Inasmuch, however, as the decision of this case may bear upon many others of a similar kind, I shall in compliance with the wish of the Inspectors and officers of the Prison, explain more at length my views of the subject.

The prisoner was arrested in the street by a watchman of the district of Moyamensing, on the night of the 29th of October, was brought before Justice Eneu on the following morning, and by him imprisoned to answer at the next Court of Quarter Sessions, to a charge of "having committed a breach of the peace by disorderly conduct in the street." The authority of watchmen to take up night walkers, disorderly persons and disturbers of the peace, given by express acts of Assembly, is broad enough to cover the arrest in this case, and to legalize the proceeding up to the period when the prisoner was brought before the magistrate. But it does not follow, from the propriety of the arrest, that any infiction by the magistrate was necessary or legal. The power given to watchmen is intended for the prevention as well as for the punishment of offences; and they may arrest individuals during the night, whose conduct evinces a tendency or disposition to violate the public peace, but who have yet done nothing which can subject them to indictment in court or to a summary conviction before a magistrate. The same laws which assign this power to watchmen, direct that all persons so arrested shall be taken before a magistrate "to be examined and dealt with according to law." In what modes may a magistrate legally deal with such persons?

1st. If they be charged with any petty offence, over which the magistrate exercises a summary jurisdiction, they may be convicted and sentenced to imprisonment. The commitment must then specify the charge with such certainty, as to bring it clearly within the act of Assembly applicable to the case, and must fix the precise term of imprisonment authorised by such act. The judgment of the magistrate is then final and conclusive; and the prisoner can only be discharged on the expiration of the sentence.

2d. If reasonable proof be made that the prisoner has been guilty of any felony or misdemeanor indictable at the Mayor's Court or Quarter Sessions, the magistrate must bind him over to appear at the succeeding term, or in default of sufficient surety must commit him for trial. In the latter case, the warrant of commitment must distinctly state the nature of the charge; not indeed with technical precision, but with such certainty, as that it may be obvious what species of offence is intended.—Any commitment to answer, which omits so to state the charge, or which states a charge not indictable, is irregular, and the prisoner, if brought up on habeas corpus, may be discharged.

3d. If no proof of an offence indictable in Court, or subject to the magistrate's summary jurisdiction be made, the prisoner is entitled to his discharge. Such discharge does not necessarily imply that the watchman has been wrong in making the arrest, for that arrest may have prevented some serious violation of law, or some disturbance of the public quiet.

The case before us is one in which a summary conviction for drunkenness or vagrancy and an imprisonment for a short specific term, would probably have been correct. If the magistrate was unwilling to take that course, he had no legal alternative but to discharge the prisoner; for no offence was alleged which could be the subject of indictment, or of which the Quarter Sessions could possibly take cognizance. Mere *disorderly conduct* is not a breach of the peace, nor can a commitment or

indictment for "a breach of the peace" be sustained, unless the particular act which constituted such breach be specified. The commitment to answer at the next Court of Quarter Sessions was therefore improper, and it becomes my duty to discharge the prisoner from that custody in which he has been unlawfully held since the 30th of October last.

I am fully aware that this decision will disturb a practice of some antiquity, which has contributed a large quota of tenants to our prisons.

The frequency of such commitments, however, renders it more important that their illegality be declared, and their recurrence if possible prevented. It is hoped the magistrates of the city and county will acquiesce in these views, and that no further application of the Habeas Corpus to such cases will be necessary. I shall be prepared, however, to apply the remedy whenever it may be required.

Although commitments like the present have been extremely common for many years past, the only argument in their favour which I remember to have heard, was founded on the supposed necessity of punishing in this indirect mode, a class of persons to be found in all large cities, for whose cases the law appears to have made no direct provision, but who are nevertheless the source of frequent trouble and uneasiness. It must be a strong case of necessity, indeed, that upon mere principles of public convenience, can justify an expense of 8000 dollars a year, which an Inspector of the Prison now in attendance has stated to rest upon the county, for the maintenance of this kind of prisoners. With such arguments, however, we have nothing to do. If our penal regulations be imperfect, the legislature alone is competent to supply a remedy. In the mean while, we must administer the law as it stands, and we are bound to relieve from every species of restraint or imprisonment, for which clear legal authority can be shown. It is probable also that the power of magistrates to imprison for small offences is already sufficient, and that the multiplication of commitments like that before us, has arisen in a great measure from an omission to exercise their summary jurisdiction in cases clearly within its reach.—*Am. Daily Adv.*

## CHESAPEAKE &amp; DELAWARE CANAL.

(Continued from page 326.)

Section No. 6.—On this section of the canal no uncommon difficulties were encountered; it occupies Turner's mill pond, beginning near the head of the pond, and ending at the dam which now forms the road; at this place which is a quarter of a mile west of the Maryland state line, there is a pivot bridge.

The water flows both sides of the tow-path, having communications through the bank, over which are two tow-path bridges.

North of the pivot bridge is a tavern and two or three old houses called, Old Town.

Section No. 7. From the pivot bridge, 1-8 mile west to Bittle's point, the water flows both sides of the tow-path, covering a quantity of low land, formerly flowed by the tide water of Broad creek.

The water is held up ten feet above its former level by a heavy embankment, forming a substantial dam from Bittle's Point to the opposite shore of the creek, where is a sluice for the discharge of waste water.

The canal is cut through Bittle's Point, to a lock of from 7 to 9 feet lift, varying with the height of water in the summit level; between this lock and the tide lock is a basin 700 feet long and 100 feet wide.

The tide lock does not operate merely as a regulating lock, but its lift varies with the tide from 1 to 7 feet.

Forty or fifty acres of land adjacent to the locks, comprising all of Bittle's Point, is laid out for a village called Chesapeake.

No remarkable improvements have yet been made

except the lock house and Mr. Burnett's tavern, which is a large commodious building, conveniently situated for the accommodation of passengers by the canal.

The Western debouche of the canal is below the junction of Broad with Back creek, and six miles from the ship channel of the Chesapeake.

That the Stockholders will ultimately, and at no distant day, be richly compensated for their investments and anxiety, not a doubt can be entertained by any one who takes into consideration the vast increase to the trade between Baltimore and Philadelphia, which will result from the completion of the improvements now in progress, connecting the Chesapeake with the Ohio.

The Susquehanna trade will likewise be nearly doubled by the accession of commodities formerly kept from market by the expense of transportation, as wood, lumber, &c. the price of these articles being more by 50 per cent. in Philadelphia than at Baltimore. The trade from the Dismal Swamp canal via Norfolk will be much increased by the direct and safe communication now opened to Philadelphia.

The contemplated Delaware and Raritan canal, only 26 miles in length, when completed, forms a safe inland Sloop Navigation from Albemarle sound to New York.

By a report of a committee to the New Jersey Legislature, it appears they calculated the revenue on the Delaware and Raritan canal merely for the New Brunswick trade, via the Chesapeake and Delaware canal at 6000 dollars; if so, the latter must be benefited in an equal amount.

This estimate appears very moderate, when we consider that the coasting trade from North Carolina to New York would be rendered safe for vessels of over 100 tons burthen, and easily navigated by the same number of men now employed in "Sharp Bay Craft," drawing 7 or 8 feet water, and averaging less than 50 tons. The anchoring the Boston brig Sciote of 190 tons at the Summit Bridge, is proof positive of the capacity of these canals to pass vessels of that tonnage if properly constructed.

Without going into dry calculations, we on the Delaware have at any time only to look and count 100 coasters in sight, and knowing that upon the opening of a sloop navigation through New Jersey, at least 1-8 the number would pass the Chesapeake and Delaware canal, which are now seen going up and down the river, and we have ocular demonstration of the wisdom of our state laws, leaving the revenue of the company the yearly income of 12 per cent. on their capital.

President—James C. Fisher.

Directors.

|                  |                |
|------------------|----------------|
| Thomas P. Cope,  | Thomas Fassit, |
| John K. Kane,    | John Hemphill, |
| Robert M. Lewis, | Ambrose White, |
| Isaac C. Jones,  | William Platt. |
| Robert Wharton.  |                |

Appointments by the Directors.

Benjamin Wright, Engineer Chief.  
Caleb Newbold, Jr. Superintendent.  
Daniel Livermore, President.

\*Now R. M. Lewis, Mr. Fisher having resigned.

The Chesapeake and Delaware Canal is now in complete order with a satisfactorily increasing trade upon it; on Thursday evening, I stopped at Bennett's Hotel on the west end of the Canal: there passed through the locks, between two in the afternoon and bed time, ten vessels; on rising about seven in the morning, I found seven others arrived, and nine passed the locks before eight o'clock; and in two hours after, three more had arrived, and were getting passed through the Locks. About this time I left Bennett's Hotel, an excellent house, where good cheer and plenty of Ducks, Canvass backs and red heads, for the amusement of sportsmen, may be met with. The splendid Barges attached to the Citizen's Line, between Philadelphia and Baltimore, take you through the Canal, 14 miles in two hours, lockage included.

A TRAVELLER.

## GOVERNOR ELECT.

On Saturday evening the 14th November inst. the First Easton Troop held a meeting and appointed Capt. Porter and Lieut. Lattimore, a committee to make a tender of their services, to escort the Governor Elect to Harrisburg. It will be seen by the correspondence that follows, that Mr. Wolf declines the escort.—*Easton Cen.*

EASTON, Nov. 16, 1829.

HONOURED SIR—The members of "The First Easton Troop of Cavalry," composed of your immediate neighbors, feel desirous of being permitted to testify their friendship and regard to you, in escorting you to Harrisburg, when you proceed thither to be inaugurated as Governor and Commander-in-Chief of the Commonwealth. They have deputed the undersigned, two of their officers, to communicate this wish to you; and we take great pleasure in expressing to you the anxious desire of the Troop, every member of which we believe to be your personal and political friend, to be permitted thus to testify their respect and regard to an honoured and respected neighbor and fellow citizen, elevated by a discerning and enlightened commonwealth to preside over her destinies.

We are with great respect

Your fellow citizens,

JAMES M. PORTER, Captain.

J. R. LATTIMORE, 1st Lieut.

GEORGE WOLF, Esq.

Governor Elect of Pennsylvania.

EASTON, Nov. 16, 1829.

GENTLEMEN—Your kind and to myself highly complimentary communication of this morning, expressing a desire on the part of the members of the First Easton Troop of Cavalry, to be permitted to testify their friendship and regard for me in escorting me to Harrisburg, when I shall proceed thither, to be inaugurated as Governor, &c. of this Commonwealth, has been attentively considered.

I should certainly be deplorably wanting in gratitude towards my respectable personal and political friends, composing the First Easton Troop, did I not feel sensible of this distinguished and highly flattering expression of their friendship and regard, and nothing short of what I deem due to them as well as to myself, as Republican citizens, could induce me to deny them the gratification they desire.

It has always appeared to me impolitic, if not absolutely dangerous in a Republican Government, for the people to flatter the vanity of their public servants, before they have been tried or their fidelity proved, by displays of pomp and show which can be attended with no possible good, but which may have a pernicious tendency by awakening in the mind of the individual a security in the public confidence calculated to produce a carelessness and indifference in the discharge of public duties, which under other circumstances would not exist. The same objections do not apply with equal force where the individual is about to retire from a public station in which great and important services have been rendered to the Republic; but even in the latter case the satisfaction arising from an upright and conscientious discharge of official duties should be esteemed by him as his highest reward.

The same plain republican habits which have marked my course through life, will be carried by me into the exalted station to which by the voice of the people of my native state I have been called: and if, in the course of my administration I shall be so far favored as to become a humble instrument in the hands of an all bountiful Providence, to advance in some measure the interests of the state or the prosperity and happiness of its citizens, I shall have attained the summit of my most anxious wishes.

The members of the Troop will, I feel confident, readily excuse my non compliance with their request, when

I assure them that the desire indicated by them would not accord either with my principles or feelings, and that I am consequently constrained to decline the honor they so kindly intended to confer.

Be pleased, gentlemen, to accept my unfeigned thanks for the kind expressions contained in your communication, in reference to myself as a neighbor and fellow citizen, and permit me to reciprocate similar sentiments in regard as well to yourselves as to the members of the Troop, individually and collectively, whom you represent—and believe me to be

With sentiments of profound respect,

Your ob't serv't,

GEO. WOLF.

James M. Porter, Captain.

John R. Lattimore, 1st Lieut.

### PHILADELPHIA.

In taking a survey of the present condition of this city, we are led to contrast it with others, and it is very certain that too much of this kind of comparison is in use. To give up this plan, then, let us state in a few words, in what our present advantages consist. We are located, by the agreement of all, if not in the very most agreeable climate of America, certainly in one which combines fewer disadvantages and extremes than most. With Jersey at our door, we have all the fruits of two distinct descriptions of soil, producing all that grow in any climate of the States, which are considered of any importance. We have the inexhaustible coal mines in our two rivers, which are literally mines of wealth to our citizens, and the value of which will be gradually developed until the end of time. As for water, we are better supplied than any other city in the world; none can exhibit half the security against fire which we possess. We have, too, an enterprising, industrious class of mechanics and handicraftsmen, whose labor is wealth; a class, in fact, which, if found in Southern cities, are so few as scarcely to be counted. We are near enough to the sea to enjoy the advantages of commerce, and have a rich and extensive back country to depend upon us, and mutually to reciprocate the benefits of intercourse. For grazing, the meadows of our country, as well as some adjacent, are unrivalled in any section of the Union. In addition to all this, several minor considerations, which we pass over in silence, the Chesapeake & Delaware canal, has now opened its channel to an unlimited communication with the Bay and tributaries of the Chesapeake, by means of which we are already supplied with the delicious oysters and fish which abound in those waters. We have seen some rock fish brought, which equal any thing of the kind ever seen, and the celebrated Canvassbacks are beginning to pour in, accompanied by terrapins, greatly increased in size, and reduced in price. As for the oysters, *York Rivers* have long been known here among the rich, but are now sold at the same price with our good but smaller ones. Wood and charcoal, to say nothing of the produce of the Susquehanna, will pour through this short but important channel, and the advantages of our situation will become more manifest every year, by the discovery of new channels of trade in the opening of our numerous canals, rail roads, marble and slate quarries, &c. &c. In fact, we are in our infancy as regards resources. Calculating upon no greater increase for the next fifty years than the last half century has produced, (and we see no reason why we should not calculate on double,) what an immense and prosperous city Philadelphia will become. We trust it will increase in virtue as in wealth, and that our descendants may say as we do, that no men would live out of Philadelphia who could afford to live in it.

*Saturday Bulletin.*

### COLLEGIATE EXPENSES.

Mr. Editor—I have compared the expenses of an education at several of our prominent colleges, with a view of ascertaining whether other things being equal, Phil-

adelphia parents and guardians would not consult their pecuniary interests by educating their children at our University. The particulars are collected from the publications of the several institutions, except in the cases of Columbia and Princeton colleges, in regard to which the statement relies upon individual but veracious authority. I have put down the sums merely which must necessarily be paid by the parent for the purpose. By a city resident, nothing of course is expected at the University upon the board and lodging of the student beyond the usual expenditures of the family, so that in fact the only demand upon the purse is for tuition, and some few contingent objects.

A Philadelphian, in educating his son, will find that his lowest total annual expense is, at Harvard University, Cambridge, Mass. \$210

|   |     |
|---|-----|
| Yale College, New Haven, Conn.                  | 190 |
| Dickinson College, Carlisle, Pa.                | 160 |
| Rutger's College, New Brunswick, N. Jersey,     | 126 |
| Washington College, Hartford, Conn.             | 125 |
| Union College, Schenectady, New York,           | 106 |
| Charleston College, Charleston, South Carolina, | 200 |
| Columbia College, City of New York, about       | 200 |
| Princeton College, Princeton, New Jersey, about | 130 |
| University of Pennsylvania, Philadelphia.       | 62  |

In this computation, I have not included books, clothing, nor graduation fees, because they may be considered as about equal in all cases, except that as respects books and clothing, more economy can be practised at home than abroad. Travelling expenses and pocket money are almost wholly avoided by the education of our children in this city. From the above comparison it appears, that the expense of education to a Philadelphian at our university is, on an average, between sixty and sixty-five per cent. less than at distant institutions. Indeed, when the expenses of travelling, of dress, and of a host of minor contingencies are considered in the estimate, we shall not be far from the fact in asserting it to be seventy per cent. cheaper to educate a son in Philadelphia, than to send him to distant colleges. It may be taken as a very fair average, that every Philadelphia student educated at the Eastern Colleges, costs his parent 300 dollars annually, and that every student educated at the Colleges nearer home, as at Princeton, Carlisle, Rutger's, &c. &c. costs 250 dollars per annum.—The utmost limit of expense in our University cannot exceed 100 dollars. The case then will stand thus:

|   |        |
|---|--------|
| The Philadelphia parent pays for his son's education for four years, which is the usual period spent in college, if educated at the Eastern Colleges, | \$1200 |
| If educated at country Colleges, near home,   | 1000   |
| If educated at the University of Pennsylvania,  | 400    |

Situated as most parents are, with families to maintain and limited means to accomplish the object, it is a matter of obvious interest to them to have access to education on such reasonable terms. In several of the prominent, classical and scientific schools of our city, the annual expense is \$100, and in few of them perhaps is it less than between 50 and \$60; so that the expense of collegiate education at the University, would seem to be brought within the most moderate limits, since in some cases it is below, and in others but slightly exceeds the expense of the preparatory classical seminaries.

But in judging of the expensiveness of a college, the most material question undoubtedly relates to its character and capability. An inefficient institution, where you pay next to nothing for a defective education, is most certainly much dearer to the unfortunate collegian than the most expensive of our Colleges. In its present state, however, the collegiate department of our University is pronounced by men who are fully qualified to judge to be both able, efficient & successful in its instruction. The recent publication of Trustees bears a strong testimony in favour of its present organization, and of the diligence, capacity, and success of its professors. Several of the Trustees who have sons to educate, are now educating them, I understand, at the University, whilst

no instance at present exists of a Trustee sending his son to a distant college. They give therefore, practical as well as theoretical, evidence of their confidence in the college as now conducted. The whole number of students, I am informed, about *ninety-five*—a much larger number than it has had for many years, if not the largest that was ever within its walls. With such a population as that of Philadelphia, our city ought to have at least 150 students in a course of collegiate education, especially when this invaluable privilege can be secured on such reasonable terms as are indicated above.—*U.S. Gazette.*

A PARENT.

#### SHAMOKIN AND MAHONoy COAL MINES.

Mr. Tweed,—It is probable that many of your readers are unacquainted with the fact, that extensive beds of Stone coal are found in the Little Mahonoy and Shamokin townships; having visited this coal region the past week, I have thought a cursory description of them might not be unacceptable to your readers. The Coal lands (so far as yet discovered,) may be said to commence in a high bluff of land in the forks of the Mahonoy, and but a short distance above the junction of the two creeks, (Big and Little Mahonoy,) and continues on eastward winding with the mountains, which at present appear to mark its limits, passing through the south-eastern point of Shamokin township crossing the Shamokin creek, where in many places it forms the bed of the creek, and is the same line of coal formation that is found along the Centre turnpike, between the Big and Locust Mountains. But the most extensive vein of coal (if a vein it may be called,) yet discovered is on Serby's Run a branch of the Little Mahonoy—the land here is considerably elevated, and the ravine formed by the run passing through it, is considerable; the banks rising abruptly, exposing to view a coal formation which in abundance or quality is not surpassed, if equalled in the state. There are from six to eight miners here at work—but their progress has not enabled them to form any thing like a correct opinion of its magnitude—however, this much can be seen that it is something like one mile in width, and at least fifty feet deep, without a single particle of any thing else intervening and is perfectly pure, being entirely clear of that mixture of slate that is found in the Wilkesbarre coal. The mine is well worth going to see, and the visitors are already becoming numerous; they are received with a hearty welcome at the shanty by the enterprising manager Mr. Wiss, to whom much credit is due. He is the son of Mr. Wiss that made the discovery of the coal at Mauch Chunk. The speculation in coal lands has already commenced; and I have no doubt but in a few years this hitherto neglected section of our country will show us a Pottsville or a Mauch Chunk.—*States Advo.*

J. F. M.

*Chillicothe, Nov. 10.*

#### MINUTES OF A MEETING OF THE

#### PENNSYLVANIA & OHIO CANAL COMPANY.

At a meeting of the "Pennsylvania and Ohio Canal Company," held in the court-house, at Pittsburg, on Thursday the 12th of November, 1829, were present, Abner Lacock, William Rayen, Leicester King, Elakim Crosby, Jonathan Sloane, Thomas Henry, Joseph T. Boyd, John Fisher, Stephen Stone, and Benjamin Chew, jun.

Gen. Lacock was called to the Chair, and B. Chew, Jr. appointed Secretary. The object of the meeting having been stated, it adjourned to meet at 3 o'clock, this day.

At the meeting held pursuant to adjournment at 3 o'clock, present, Messrs. Lacock, Rayen, King, Crosby, Sloane, Henry, Boyd, Fisher, Stone, William Ayres, Charles Shaler, Hugh Davis, John Dickey, B. Chew, Jr.

Resolutions were offered to the meeting by B. Chew,

Jr. which, after discussion, were referred to a committee consisting of Messrs. Chew, Ayres, Sloane, King, & Henry, with full power to modify or change the resolutions.

On motion, a committee of five were appointed to draft memorials to Congress, and to the Legislatures of Pennsylvania and Ohio.

On motion of Judge Shaler, the chairman is appointed one of said committee, which consists of Gen. Lacock, Judge Shaler, Judge Rayen, Messrs. Dickey and Boyd.

Adjourned to meet at 9 o'clock to-morrow morning.

At the meeting held on Friday, 13th Nov. pursuant to an adjournment, present, Messrs. Lacock, King, Rayen, Boyd, Fisher, Sloane, Crosby, Davis, Dickey, Ayres, Henry, Shaler, and Chew.

Judge Shaler, from the committee to draft memorials, reported progress and asked further time.

B. Chew, Jr. from the committee to which the resolutions offered yesterday, were referred, made report.

The committee to whom was referred the resolutions laid before the meeting, yesterday,

#### REPORT:—

That they consider it inexpedient to open subscription books for stock of the Pennsylvania and Ohio Canal Company, until the Eastern termination of the work is designated, and that it is advisable to postpone the consideration of methods for obtaining subscriptions to the stock until the proper time for opening the books shall arrive, because circumstances may occur, at present unforeseen, to change the views of the Company. The Committee, therefore, recommend that these subjects be laid over for the consideration of a future meeting.

The Committee are, however impressed with the conviction that measures ought to be adopted by this meeting for carrying into effect the object of the Corporation, and especially for obtaining from the Congress of the United States and from the Legislatures of Pennsylvania and Ohio, contributions to the stock of the Company, as was contemplated in the appointment of a committee to draft memorials yesterday. And that a Standing Committee ought to be appointed to attend to the concerns of the Company during the meeting of this board. The Committee, therefore, recommend the adoption of the following Resolutions:

Resolved, That memorials be presented by the Company to the Congress of the United States, and to the Legislatures of Pennsylvania and of Ohio, praying each of those authorities to subscribe for stock of this Company.

Resolved, That a committee be appointed to present the memorial to the Legislature of Pennsylvania, and another committee to present the memorial to the Legislature of Ohio; and that the said committees shall report their proceedings to the Standing Committee.

Resolved, That the company make application to the Pennsylvania Canal Commissioners to determine and fix the point at which the Pennsylvania and Ohio Canal shall intersect the Pennsylvania Canal, in conformity with the provisions of the second section of an act of the Legislature of Pennsylvania, entitled "An act to incorporate the Pennsylvania and Ohio Company, passed the 14th of April, 1827."

Resolved, That a certified copy of the foregoing resolutions be directed to the Board of Pennsylvania Canal Commissioners.

Resolved, That a standing committee be appointed, with power to call meetings of this company, and to collect such information as it may be expedient to lay before the next meeting, and to conduct any necessary correspondence, and that this committee be instructed to prepare an exhibit of the expense of making the canal from the point of its termination, designated by the Canal Commissioners of Pennsylvania, to be laid before the next Meeting of this Board.

The above resolutions were adopted—B. Chew, jun. was appointed a committee to present the memorial to

the Legislature of Pennsylvania, and Judge Rayen to present the memorial to the Legislature of Ohio.

Messrs. Henry, Lacock, Shaler, Sloane, and Dickey, were appointed the standing committee.

Resolved, That the standing committee be instructed to obtain signatures to the memorial to Congress, and to have it presented.

Adjourned till to-morrow at 9 o'clock.

At the meeting held on Saturday, at 9 o'clock, the 14th Nov. pursuant to adjournment, were present, Messrs. Lacock, Rayen, Fisher, Boyd, King, Crosby, Sloane, Davis, Dickey, Henry, Shaler, and Chew. The committee to draft memorials, reported a memorial to the Legislature of Pennsylvania, a memorial to the Legislature of Ohio, and a memorial to Congress.

The drafts reported were unanimously adopted.

On motion, the standing committee is instructed to apply to the proper department of the general government for copies of the surveys and works of the United States Engineers, in the country between Pittsburgh and Lake Erie, applicable to the Canal.

On motion the Secretary is directed to furnish the minutes.

Adjourned without day.

A. LACOCK, *Chairman*.

B. CHEW, Jr. *Secretary*.

#### PUBLIC STAGES TO & FROM HARRISBURG.

The Mail Stage by Reading, leaves the Stage Office, Market square, Harrisburg, at 12 noon, and arrives at Shenfelter's Reading, at 9 the same evening. Leaves Reading at 5 in the morning, and arrives at Van Buskirk's Philadelphia, at 2 P.M.

Returning, leaves Van Buskirk's at 2½ A.M. and arrives at Harrisburg, at 8½ P.M.

The Accommodation Stage leaves the same office, at Harrisburg, Sunday, Wednesday, and Friday, at 2 A.M. and arrives at McCalla's, Race Street, Philadelphia, the same day at 8½ P.M.—Returning, leaves McCalla's Monday, Wednesday and Friday, at 6 A.M. and arrives at Kepple's, Reading, at 5, P.M. Starts at 6 the next morning, and arrives at Harrisburg at 3 P.M.

The mail stage, by Lancaster, leaves the Stage office, next to M. Wilson's Harrisburg, every day at 1 P.M. and arrives at Graeff's, Lancaster, at 7 the same evening—leaves Lancaster at 2½ in the morning and arrives at Taylor's Philadelphia at 12½ P.M. Returning leaves Philadelphia at 7 A.M. and arrives at Harrisburg, at 11½ P.M.

The accommodation Stage leaves the same office, at Harrisburg, every day at 2 in the morning, and arrives at Taylor's Philadelphia the same day, at 7 P.M.

An accommodation Stage, leaves Mr. Nagle's, Harrisburg, at 11 A.M. every other day, lodge at Cooper's Lancaster, breakfast, the next morning at Morgantown, and arrive at VanBuskirk's, Philadelphia in the evening. Returning leaves VanBuskirk's, every other day at 4 A.M.—lodge at Cooper's, Lancaster, and arrive next morning at Harrisburg, about 11.

#### STAGES TO PITTSBURG.

*Southern route.*—Leaves the office next to M. Wilson's, Harrisburg, at 3, A.M. every day, and passes through Carlisle, Chambersburg, McConnelstown, Bedford and Greensburg to Pittsburg, in two days and a half. Returning, leaves Pittsburg at 3, A.M. and arrives at Harrisburg in two days and a half.

*Northern route.*—Leaves the office, next door to Mrs. Buehler's, Market square, Harrisburg, every day at 5, A.M. and passes through Lewistown, Huntingdon, Blairsville, &c. to Pittsburg, in three days. Returning, leaves Pittsburg at 3, A.M. and arrives at Harrisburg in —days.—This line connects at Lewistown with a line to Bellefonte, Philipsburg, Meadville & Erie; which leaves Lewistown on Tuesday, Thursday and Saturday. The Susquehanna, or Northern Stage, leaves the same

office, Market square, Harrisburg, every morning (except Sunday) at 2, for Northumberland, Williamsport, Painted Post, Bath, and Geneva, (New York.) At Northumberland it intersects with a line for Berwick, Wilkesbarre, Owego, Ithaca and Geneva (N.Y.)

*Baltimore.*—A stage leaves the same office every morning at 3, (Sunday excepted) breakfasts at York, and arrives at Baltimore in the evening. Returning, leaves Baltimore at 3, A.M. and arrives at Harrisburg, about 8 P.M.

*Columbia.*—A stage leaves the same office, every Monday, Wednesday and Friday, at 8, A.M. and arrives at Columbia at 3, P.M. Returning, leaves Columbia every Tuesday, Thursday and Saturday at 8 A.M. and arrives at Harrisburg at 3 P.M.

*Ephrata.* A stage leaves Henszey's, Market square, Harrisburg, every Saturday at 7 A.M. passes through Campbellstown and Ephrata, and arrives at Downingtown the next afternoon. Returning, leaves Downingtown every Wednesday morning, and arrives at Harrisburg on Thursday afternoon.—*H. Chron.*

#### BIOGRAPHICAL MEMOIR OF

#### MAJOR GENERAL ANTHONY WAYNE.

[From the Casket.]

(Continued from page 310.)

So deficient were military supplies, both of men and provisions under a state system, and so alarming was the circumstance, that on the first day of January, one half of the small army in the service of the United States would dissolve: the Commander-in-chief was again necessitated to address Congress; he says, in a letter to that body, a short time previously to Arnold's defection, "While we are meditating offensive operations, which may either not be undertaken at all, or being undertaken, may fail, I am persuaded that Congress are not inattentive to the present state of the army, and will view in the same light with me the necessity of providing, in time, against a period, the first of January, when one half of our present force will dissolve. The shadow of an army that will remain, will have every motive except mere patriotism to abandon the service, without the hope which has hitherto supported them of a change for the better. This is almost extinguished now, and certainly will not outlive the campaign, unless it finds something more substantial to rest upon. This is a truth of which every spectator of the distresses of the army cannot help being convinced. Those at a distance may speculate differently; but on the spot an opinion to the contrary, judging human nature on the usual scale, would be chimerical." He also endeavored to impress the necessity of a foreign loan of money for the continuance of the war, on which subject he addressed the minister of France in the most explicit terms.

Gen. Wayne, who, on every important occasion, seconded and followed the Commander-in-chief, "Haud passibus æquis:"—thus addressed the President of Pennsylvania.

Camp at Steensrapi,

17th September, 1780.

Dear Sir,—At the commencement of this campaign, we had the most flattering expectations from the promised succours of his most Christian Majesty, as well as from the exertions of these States, but the intervention of a superior fleet to that of our allies in these seas, the blockade of Brest, in which port the second division intended for America, is shut up, and the tedious delay, and at length a total prevention of operation in the West Indies, together with the recent military check we have experienced in South Carolina, and the deficiency of promised aid and supplies in the United States, have materially altered the complexion of affairs.

In this situation I have been called upon by his Excellency to give my opinion in writing, of what I may



deem the most advisable mode of conduct or most feasible point of operation.

The actual arrival of Sir G. Rodney, with 10 sail of the line at Sandy Hook, will, when joined by Admiral Arbuthnot's command, amount to between 20 and 26 sail. The Count de Guichen is said to be on the coast with 18, and the Count de Ternay at Rhode Island with 8, in all 26, so that the forces will be nearly on an equality; hence we have little ground to expect anything capital taking place. Could any period be fixed for the arrival of the second division from Brest, so as to place our allies in the sovereignty of these seas, I should not be at a loss on the occasion; but as this is eventual, I must acknowledge that I see nothing but a choice of difficulties left to determine upon. Among others, that of experiencing every extreme of distress at this stage of the campaign, for want of provisions, is of the most alarming nature, and would of itself be sufficient to defeat any, the best plan in the power of a General to design.

When I look to a period fast approaching, I discover the most gloomy prospects and distressing objects presenting themselves; and when I consider the mass of people who now compose this army, will dissolve by the first of January, except a little corps enlisted for the war, badly paid, and worse fed, I dread the consequence, as these melancholy facts may have a most unhappy influence on their minds, when opposed to a well appointed, puissant, and desolating army.

Should Sir Henry Clinton profit by former errors, and commence the General; should he wait that season, and pour like a deluge upon a naked country, and once more possess your capital, I have but too much reason to dread, that by an introduction of civil government, he would find many, very many, adherents, and, perhaps, great numbers of converts, we at present, least suspect.

I know that you are not to learn that the fidelity of not every Southern State is to be absolutely relied on, and that some of the landed interest of your State would not have strong objections to submit to the former government; and I can from my own knowledge, but not without much pain, assure you, that very many of the agriculturists of this State appear to wish for peace on any terms, owing to the manner in which we have been necessitated to ration our troops and forage our horses, which is truly distressing to them, and affords but very partial relief to us; yet, little as it is, it has hitherto prevented a dissolution of this army. I know that the exhibition of a picture of this kind will be painful to a gentleman, who, from principle, as well as his exalted station, must be interested, deeply interested, in the fate of America. Yet it is a duty which, as a citizen and a soldier, I owe to you, my country, and myself, to present in its true colours, and also to assure you, that I am not influenced by any apprehensions for my own liberty and safety. I have fully and deliberately considered every possible vicissitude of fortune, and know that it is not in the power of Britain to subjugate a mind determined to be free, and at all events, whilst master of my own sword, I am governor of my own fate. I therefore only fear, but greatly fear, for that of my country, and would wish to warn her of the danger, and to point out the only mode which, in my opinion, can possibly rescue her from impending ruin.

We have it yet in our power to remedy or correct former mistakes, and to rise superior to every difficulty and danger. This, however, can only be done by a foreign loan, and by the completion of your regiments. The Eastern States seem fully convinced of their error, and from the best intelligence, will exert every power to complete their quotas of troops for the war. Pennsylvania in this will have greatly the advantage; the levies now in camp are enlisting upon trust. Whilst this spirit is up, I wish we were furnished with some hard cash; this is the time to take them—if we wait much longer, the termination of their services will be so near,

that nothing will induce them to re-enlist. Add to this that those men are now on the spot, that there is no danger of being imposed on by deserters, and that every man we enlist we are sure of; in addition to all which, they have acquired some discipline and adroitness in exercising and manœuvring, in consequence of the close attention and indefatigable industry of our officers, which they will continue to apply with unwearied zeal.

I would beg leave further to suggest, whether good policy does not dictate the making of a true representation to the court of France of our situation with respect to finances, as well as the propriety of telling her that we can no longer continue this unequal contest without the aid of hard money, with which, if they will furnish us, we will secure our independency, and repay her when able.

Adieu, my dear Sir, and believe me your Excellency's most obedient,

ANTHONY WAYNE.

His Excellency, Jos. REED.

(To be continued.)

#### ABSTRACT OF THE

### PROCEEDINGS OF THE LEGISLATURE. SENATE.

*Thursday, Nov. 18.*—A petition for a subscription to the stock of the Monongahela and Coal-hill Navigation company, and for alteration of their charter. Supplement to charter of Schuylkill Navigation company, and resolution relative to Purdon's Digest, read third time, and passed.

*Friday, Nov. 19.*—Mr. Ringland's resolution to adjourn from 17th December to 10th January, considered, and question postponed.

*Saturday, Nov. 20.*—Mr. Powell submitted the following resolution.

*Resolved*, That the committee on vice and immorality be instructed to inquire into the expediency of reporting a bill, requiring the Governor to appoint three commissioners for the city and county of Philadelphia, who shall have been first recommended by the guardians of the poor thereof, and whose duty it shall be to investigate all abuses connected with tippling houses and tavern licenses, and to ascertain the character of all applicants, as well as the fitness of the houses for which tavern licenses shall be sought, and thereupon to report to the grand juries of the said city and county, whose recommendation shall be requisite to authorise the court of quarter sessions, or the Mayor's court, to grant any tavern license for the city and county of Philadelphia.

The resolution was considered, and its merits discussed by Mr. Powell in favor and Mr. Burden against it. Mr. Burden moved to amend the resolution by striking out all after the word instructed, and to insert in lieu thereof, "to report, whether any and what alterations are necessary in the mode of granting tavern licenses." Mr. Hay made some remarks in favor of the motion.—The amendment was agreed to, yeas 15, nays 10. And the resolution was adopted.

Mr. Ringland submitted a resolution, which was adopted as follows:

*Resolved*, That the committee on the judiciary system be instructed to inquire into the expediency of so amending the act of the 20th March, 1810, as to make the bail of the party taking an appeal from the judgment of a Justice of the Peace absolutely liable for the amount of the judgment that may be rendered against the appellant.

#### HOUSE OF REPRESENTATIVES.

*Monday, Nov. 16.*—A resolution adopted, respecting the inquiry as to the expediency of authorizing the Governor to subscribe for stock of the Lycoming and Tioga Turnpike and Tioga Canal and Navigation Companies—

Judiciary committee to inquire whether alterations ought not to be made in the Road laws respecting rights of citizens to vote for supervisors, who refuse to pay a road tax.

*Tuesday, Nov. 17.*—Judiciary committee to inquire what alterations and amendments are necessary in laws regulating marriages—acts reported respecting loans from certain banks—for furtherance of justice between obligors and obligees, &c.—for regulating general elections—committee report respecting road laws and were “of opinion, that it is the highest attribute of sovereignty in any government to disfranchise a freeman from the right of suffrage, and if the power existed, it should not be exercised but in cases of extreme necessity for the preservation of the state. The resolution presents no such case. Were your committee desirous or willing to carry into effect the principle contained in the resolution, (which they are not,) the power, in the opinion of your committee, is withheld from the Legislature by the Constitution, which provides that ‘every freeman of the age of 21 years, having resided in the State 2 years next before the election, & within that time paid a state or county tax, which shall have been assessed at least six months before the election, shall enjoy the right of an elector.’ In addition to which, if further argument were wanting, the Legislature passed the 6th of April, 1802, for laying out and keeping in repair public roads and highways within this commonwealth, in prescribing who shall have a right to vote for supervisors of the highways, have reference to the citizens qualified to vote for members of the General Assembly.

Judiciary committee respecting alteration of the Orphans’ Court laws Report. That they are not aware that the matter complained of requires any special alteration by statute, and believe, under the present practice of the courts, the supposed grievance would be fully provided for.

That after an account of an executor or administrator has been finally settled, that fact together with the entire merits of the demand, would be presented to the court for the application of such equity as the circumstances of each case might give rise to.

The committee, aware of the utter impracticability of making salutary provisions for the infinite variety of the causes and subjects of litigation, and uninformed of any serious difficulties having been experienced in Pennsylvania under the existing state of the law on this subject, think it inexpedient to make any alteration in the premises, and therefore offer the following resolution—That the committee be discharged from the further consideration of the resolution referred to them.

The report was laid on the table.

Bill supplementary to the Election law read a third time and recommitted for amendment—committee of ways and means reported a bill authorizing loans from certain banks. Bill passed committee of the whole for dividing Pittsburgh into 4 wards.

*Friday, Nov. 20.*—Mr. Moore, of Erie, offered the following resolution which after debate, was indefinitely postponed, Yeas 55, Nays 30.

Whereas the misfortune of intemperance, notwithstanding the laudable example of the different Temperance Societies, seems to prevail to a very serious extent. And whereas, it is the opinion of this body that an example coming from them as the representatives of the people, would greatly aid in the meritorious efforts of those societies: Therefore,

*Resolved,* That the members of this House, from this time until the end of the session, will abstain from and make no use of ardent or spirituous liquors.

Mr. Moore moved to proceed to the second reading of the resolution.

Mr. Petriken hoped the gentleman would permit the resolution to lie on the table a few days, in order that they might treat resolution. The motion to consider was agreed to.

Mr. Wilkins thought, if the gentleman who offered the resolution was serious, they ought to dispose of it as soon as possible; and he moved to refer it to the committee on vice and immorality.

Mr. Middleswarth was in favor of sending the resolution to a committee. He would like to know what punishment they would be able to inflict on members who did not choose to adhere to this resolution, in case it should be adopted.

Mr. Moore, of Beaver, said, if it was not for the respectability of the member who offered the resolution, he would consider it a reflection upon the House. For his own part, he would like very well to be resolved into sobriety, but it did not seem to him at all proper that subjects should be introduced into the hall of legislation which could not be legislated upon. He hoped the resolution would not be committed.

Mr. Moore, of Erie, stated that the subject before them was a plain one, and did not need elucidation from him. He had always understood, that good motives were to be attributed to good acts; and if a desire to court popularity should be ascribed to him, as every man ought to wish to stand well with his fellow citizens, it was certainly right in him to offer the resolution.

Mr. Frick moved to postpone the resolution, together with the motion to refer to a committee, indefinitely.

Dr. Mitchell made some remarks against the resolution.

Mr. Frick said, this was no place to introduce a resolution about Temperance societies; for if the resolution passed, the members themselves would not be legally bound by it, and those in the minority would not be bound at all. If the gentleman who offered the resolution wished to establish a cold water society, let him set the example, and begin it somewhere else.

Mr. Bushfield said, that men high in authority were looked up to as examples, that members of the legislature sent here to make laws, should encourage morality—that it was indispensably necessary that they should make such laws as would suppress vice and immorality and encourage virtue. I therefore hope that the resolution will be supported, as I believe that every honest well meaning man and lover of his country will encourage temperance and sobriety, and suppress ardent spirits, the companion of vice, the bane of society, and the principal cause of wretchedness, misery and crime.

*Saturday, Nov. 21.*—Petition presented from Fayette co. praying for improvement of the Monongahela. Resolution adopted, for Judiciary committee to inquire into expediency of making further provision by law, relative to the acknowledgment of deeds of conveyance, releases, mortgages, and letters of attorney, particularly when such acknowledgments are made out of the state.

*Monday, Nov. 23.*

Mr. Overfield—a petition from the contractors on the Delaware division of the Pennsylvania Canal, praying that provision may be made for the payment of interest on the certificates issued by the acting commissioners for the amount due to contractors for work done. Referred to the committee on inland navigation and internal improvement.

Mr. Barlow—a petition from inhabitants of Crawford county, praying for the passage of a law reducing the number of officers of the general elections in the said county. Referred to Messrs. Barlow, Myers and Parke.

On motion of Mr. Wilkins, the following resolution, after being amended, was twice read, and adopted, and Messrs. Wilkins, Emlen, Moore of Beaver, Laporte, Blair, Wagener and Parke appointed as the committee.

*Resolved,* That the letter from the governor of the state of Mississippi to the governor of Pennsylvania, enclosing a copy of certain resolutions relative to the tariff of the general government of 1828, and the message of the governor at the last session, transmitting the communications of the executives of

other states on the same subject, be referred to a select committee.

The following resolution offered by Mr. Read, was twice read and adopted:

Resolved, That the committee on the militia system be instructed to enquire into the expediency of so altering the militia law that no more than one day's duty shall be required in each year.

The following resolution offered by Mr. Moore (of Beaver,) was twice read, considered and adopted:

Whereas the Westmoreland Bank of Pennsylvania has ceased regular banking operations, and its paper has depreciated from 25 to 30 per cent. and whereas several of the county treasurers in the western counties of this commonwealth have received the paper of said bank whilst current, for store and tavern licences; and the same will not be received from them by the state treasurer: Therefore,

Resolved, That the committee of ways and means be instructed to inquire into the expediency and justice of reporting a bill, authorising the state treasurer to receive the paper of said bank from the county treasurers who have received the same whilst current, and to adopt such means as may be deemed proper to compel the said Bank to redeem the paper belonging to the commonwealth.

The committee of the whole had under consideration a bill, entitled an act for the furtherance of justice between obligors and obligees, and other creditors and debtors; and after some time rose, reported progress and obtained leave to sit again to-morrow.

The following bill was passed through committee.

A further supplement to an act, entitled an act to authorise the governor to incorporate a company to make a lock navigation on the river Schuylkill.

Remarks, of Mr. Fetterman, in the House of Representatives, on the bill granting relief to Abraham Shaffer, of Bedford county, for the loss of an ark and its freight, in attempting to cross a canal dam in the Juniata river.

Mr. Fetterman said, that from the documents that had just been read, he conceived a case had been made out, well worthy the attention of the committee. That prior to the commencement of our system of internal improvement, the Juniata river so high as its source in the mountains, was declared by an act of the Legislature, a public highway, and as such, had been used by our enterprising citizens living adjacent to it, until within two or three years. Since then it has been necessary for canal purposes, that dams should be erected across it. The act granting authority to the canal commissioners to construct them, states expressly, that the navigation should be preserved as formerly. The dam at the head of the long narrows was erected under the superintendence of Mr. Clark, acting commissioner upon that line, who in his report at the last session stated, that the dam had not only been built with a sluice or lock sufficient, not only to preserve the navigation, but had even rendered it better than it was before. How far he was correct, the house would judge. They had before them the fact of the loss of an ark and its freight in attempting to pass it—and they had before them the deposition of a very respectable man, one of the most experienced pilots upon that river, who states, that in a common stage of water an ark cannot pass over the dam, because it is too high—that they could not pass through the sluice or lock, because it is too narrow.

He observed, that Mr. Shaffer not knowing of the obstruction in the river, according to the custom of the people living nigh to it, built an ark and prepared a load of hoop-poles. However, before he started with them, he understood he might run great hazard if he proceeded. To remove any doubt of the safety of the navigation, he was referred to the act of Assembly which authorised the construction of those dams, and which required that it should be preserved. He exam-

ined the report of the canal commissioners, which had been furnished him, and was satisfied therewith that he would be secure from danger in that way. He proceeded with his ark down the river as far as Lewistown, and there employed the most experienced pilot he could find from thence to the dam, at which place he took out part of his load, and having thus used more than common prudence to render his passage safe. The sluice being too narrow he attempted to pass over the dam; the ark rubbed, and sank, together with its load a short distance below it—attended not only with the loss of the property, but also in great danger of their lives.

He stated the policy that had led to the obstruction of that river by means of dams, he would not stop to question—was unnecessary and foreign to the subject. But he would say, had not Mr. Shaffer used common care, or could any neglect be ascribed to him, that the present application would never have been made. But he thought his proof was conclusive, that more than usual care had been used, and that he had been extremely precautions in doing every thing necessary to secure a safe passage for his ark; and that even then the application would not have been persisted in, were it not for the extreme embarrassment occasioned him by the loss of his ark—were it not for the fond wish to save to himself the remainder of his property, and secure his family from poverty.

He said that the fact stated in the petition came within his own knowledge. That Mr. Shaffer was a poor man, who by the industry and economy of many years, had succeeded in saving a small sum of money. That two or three years since he contracted for the purchase of a farm in Bedford county; the money he had saved was applied to the first payment—that the second and the last payment became due last spring; to meet which he had prepared the ark he had lost and its load. Had he arrived at market, his property would unquestionably have been secured; but so soon as it was known that he had been unfortunate, his creditors pushed him for payment, and unless the legislature would interfere, his property must all be sacrificed.

He stated that the question to be determined by the committee was, whether the house would interfere and grant relief? That it was certain that the loss sustained by Mr. Shaffer, was alone to be attributed to the intervention of a public act, or the act of a public agent.—He considered that whenever an injury of the kind was occasioned to an individual, it would be the true policy of the State to remedy it. That it was true there was no legislative enactment upon the subject by which they might be governed—yet that would be no sound objection; for the want of it might be owing to the extreme improbability of any such cases occurring. Here the legislature had directed the preservation of the navigation and had no reason to doubt but that their agents would be obedient.

But there were other causes wherein damages had been granted as compensation for injuries received in the prosecution of the system of Internal Improvement. That it was provided by an act of Assembly, that when any damage is done to land or other property by means of the canal, that compensation for damages should be given. And how many had been the instances wherein the real value of the property instead of being diminished, had been enhanced by a line of canal passing through. And if in those cases compensation had been awarded, how much greater the reason for granting relief to Abraham Shaffer, who was made an innocent sufferer, and whose loss was absolute; and from an unfortunate chain of circumstances, unless the Legislature interfered, would cause him to lose the remainder of his property.

He said, that the amount mentioned was not the full value of the ark, and its freight. That there was a risk to be run in the distance that intervened from the place where he was so unfortunate as to lose his ark and the place of destination, but that the sum had been redu-

ced in a proportion greater than any hazard or expense he would have had to encounter, and that believing the claim to be a just one, and one that would warrant the house in granting relief—he hoped it would be granted.

*Remarks of Mr. Craft*, in the House of Representatives, on the act respecting the right of voting by sons of qualified voters between the ages of 21 and 22 years, when the fathers of such persons have been dead for a longer period than two years.

Mr. Craft remarked that he would add an observation, in corroboration of the views entertained by the gentleman from Washington. He was decidedly of opinion, that young men, between the ages of 21 and 22 had the right of voting, if their fathers were qualified voters, and that although the father had died or removed from the state. The privilege of voting is conferred on the son by the privilege of the father, and is not divested by the death or removal of such father. But this privilege is vested beyond the power of the Legislature, and can neither be diminished nor increased by this body. It is guaranteed by higher authority, viz: by the constitution itself, and this House has no power to limit or extend the right by construction.

This House exceeds its legitimate authority in exercising any power to construe laws, unless perhaps by amendment or exposition of their own laws. The constitution distributes the powers of this government into three departments, legislative, executive, and judiciary. The first makes the laws, subject always to the constitution—the second executes—and the third expounds or construes them.—While each operates within its sphere, we are safe. When either assumes to itself the powers of the rest, it is tyranny. It is the duty of a good citizen to resist the judiciary in the exercise of the powers of legislation, it is as much his duty to resist the legislator in any attempt to assume the office of the Judge.

To show his sincerity in defending the rights of young men, (he stated) that the proper course of any who were illegally deprived of the right of suffrage, would be to bring a suit against the Inspector or Judge refusing his vote, and to carry the question up to the Supreme Court, where the true construction of the constitution might be solemnly established; and a uniform rule pervading the state, might be settled, as the law of the land. This was the true constitutional course, and as the voter had this remedy and means of redress, (and on decision by the proper tribunal would be sufficient) he was not of opinion that the Legislature should exceed their powers to give the voter any new rights. This House is a Legislature of limited powers, not a convention.

### MISCELLANEOUS.

#### CURIOUS CIRCUMSTANCE.

An individual of intemperate habits, engaged in unloading a shallop of wood at one of our wharves felt something pass up his sleeve to which he paid no attention until a sensation of violent burning induced him to examine his arm. On stripping up his sleeve he discovered an animal resembling a lizard, which, from the existence of three small pimples near the shoulder, he concluded had bitten him. The arm immediately swelled up to an enormous size—became of a bright red colour, and intensely painful. No medical attendance was procured for five days. The arm from the shoulder to the elbow was then fully as thick as the thigh of an ordinary sized man—painful to the touch—an evident fluctuation of matter was detected throughout the whole circumference of the arm, and upon an incision being made through the skin and cellular membrane nearly half a gallon of well conditioned matter was evacuated—after this the swelling, pain and inflammation rapidly declined, and with the exception of a slight at-

tack of mania a potu, the health of the patient was completely reinstated.

There is no doubt that in this case the violent inflammation from so slight a cause is to be attributed solely to the irritable state of the patient's constitution arising from his habits of intemperance. There is no reason for believing that any poison was communicated by the animal found on the arm—or if it really was a lizard, that even a bite was inflicted. Nov. 26, 1829.

The above facts were communicated to the Editor by the physician who had charge of the case.

#### Chambersburg, Pa. Nov. 17.

The Court of Quarter Sessions of this county, were occupied between three and four days last week, trying an indictment against sundry Journeyman Shoemakers of this borough, for a conspiracy to raise their wages, and prejudice such as were not members of their association. The written constitution and by-laws of the society were in general of a benevolent character, providing for the support and comfort of its sick and disabled members. The prosecution was in the main sustained by proof of other rules that were unwritten but acknowledged and practised by the Society. The jury after being out from Friday evening to Saturday forenoon, found the society guilty of conspiring to raise their wages,—and on the afternoon of that day, the court sentenced the principal of the society to pay a fine of ten dollars—three others named in the indictment, each a fine of five dollars, and costs of prosecution.

### METEOROLOGICAL REGISTER,

OCTOBER, 1829.—KEPT AT CHILISQUAKE, BY J. P. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmosph. Variations. |         |
|------|------------|------|------|-------------|----|----|----------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.                | P. M.   |
| 1    | 29 7       | 29 7 | 29 7 | 44          | 52 | 55 | Clear                | Sunshn. |
| 2    | 29 8       | 29 8 | 29 7 | 41          | 56 | 61 | Clear                | Clear   |
| 3    | 29 6       | 29 5 | 29 5 | 45          | 58 | 63 | Cloudy               | Rain    |
| 4    |            |      |      |             |    |    |                      |         |
| 5    | 29 5       | 29 5 | 29 5 | 47          | 53 | 55 | Clear                | Clear   |
| 6    | 29 5       | 29 6 | 29 6 | 40          | 54 | 56 | Clear                | Clear   |
| 7    | 29 6       | 29 6 | 29 6 | 45          | 57 | 58 | Cloudy               | Rain    |
| 8    | 29 6       | 29 6 | 29 6 | 55          | 59 | 60 | Cloudy               | Cloudy  |
| 9    | 29 6       | 29 7 | 29 7 | 47          | 52 | 58 | Clear                | Clear   |
| 10   | 29 7       | 29 7 | 29 7 | 46          | 53 | 57 | Clear                | Cloudy  |
| 11   |            |      |      |             |    |    |                      |         |
| 12   | 29 5       | 29 6 | 29 6 | 47          | 53 | 56 | Cloudy               | Clear   |
| 13   | 29 8       | 29 8 | 29 8 | 42          | 49 | 56 | Clear                | Clear   |
| 14   | 29 8       | 29 7 | 29 6 | 38          | 51 | 57 | Clear                | Clear   |
| 15   | 29 6       | 29 6 | 29 6 | 40          | 54 | 60 | Clear                | Clear   |
| 16   | 29 6       | 29 6 | 29 6 | 46          | 57 | 62 | Clear                | Clear   |
| 17   | 29 7       | 29 7 | 29 6 | 52          | 60 | 64 | Cloudy               | Cloudy  |
| 18   |            |      |      |             |    |    |                      |         |
| 19   | 29 4       | 29 3 | 29 2 | 59          | 62 | 62 | Cloudy               | Rain    |
| 20   | 29 7       | 29 5 | 29 6 | 43          | 46 | 48 | Cloudy               | Cloudy  |
| 21   | 29 8       | 29 8 | 29 8 | 35          | 44 | 47 | Clear                | Cloudy  |
| 22   | 29 8       | 29 9 | 30 1 | 33          | 42 | 46 | Clear                | Clear   |
| 23   | 30 1       | 30 1 | 30 0 | 42          | 51 | 54 | Cloudy               | Cloudy  |
| 24   | 30 0       | 29 9 |      | 60          | 63 |    | Cloudy               |         |
| 25   |            |      |      |             |    |    |                      |         |
| 26   | 29 6       | 29 6 | 29 6 | 54          | 52 | 54 | Rain                 | Cloudy  |
| 27   | 29 6       | 29 9 | 29 9 | 36          | 44 | 49 | Clear                | Clear   |
| 28   | 29 9       | 29 8 | 29 7 | 31          | 46 | 52 | Clear                | Clear   |
| 29   | 29 7       | 29 7 | 29 7 | 42          | 51 | 53 | Cloudy               | Cloudy  |
| 30   | 29 5       | 29 5 | 29 4 | 49          | 55 | 56 | Cloudy               | Cloudy  |
| 31   | 29 2       | 29 2 | 29 1 | 46          | 48 | 48 | Rain                 | Rain    |

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 23. PHILADELPHIA, DEC'R. 5, 1829. NO. 101.

## RECORDS OF PENNSYLVANIA.

Abstract of the state records at Harrisburg, made by Thomas Sergeant, Esq. when Secretary of the Commonwealth, and by him presented to the Historical Committee of the American Philosophical Society, Nov. 3, 1819.—1748 to 1758.

*Continued from page 330.*

December 3, 1754. Letter of Sir Thomas Robinson, July 5th, Whitehall. Sir your letter of the 25 Nov. last in answer to the Earl of Holderness of the 28th August having been received and laid before the King, I am to acquaint you that it is his Majesty's express command that you should in obedience thereto, not only act vigorously in the defence of the Government under your care but that you should likewise be aiding and assisting his Majesty's other American Colonies to repel any hostile attempt made against them: and it was with great surprise the King observed your total silence upon that part of his Majesty's orders which relate to a concert with other colonies which you must be sensible is now become more essentially necessary for their common defence since the account received by you from Major Washington with regard to the hostilities committed by the French upon the river Ohio, which, verify in fact, what was apprehended when the Earl of Holderness wrote so fully to you in August last, and which might have been in great measure if not totally prevented, had every one of his Majesty's Governments, exerted themselves accordingly to those directions, the observance whereof I am now by the King's commands to enforce (on) you in the strongest manner.

Accounts of the death of the Half King, at Harris Ferry in the beginning of October. Mess. of Gov. to Ass'y.

"Many things have happened since the retreat from the forks of Monongialo that have put our affairs upon the frontiers in a very bad situation: much worse than his majesty and his ministers have any knowledge of, or than they can possibly imagine." It appears that "the French have now at Monongialo about 1000 regular troops besides Indians:—are well supplied with provisions:—and lately received an additional number of cannon—that their upper forts are also well garrisoned and provided—and that they are making a settlement of 300 families in the country of the Twightwees at the S. W. end of Lake Erie." "Our situation at present is certainly very alarming. The French on our borders are numerous, strongly fortified, well provided, and daily increasing. The small body of English troops on the frontiers weakened by the desertion from the Independent Companies, and the want of discipline in the new levies. The six nations of Indians formerly our firm friends, divided among themselves, many of them gone over to the French, and others wavering and in doubt whether to follow their brethren or continue with us.—The neighboring Prov's. (except Virginia) though nearly interested in the issue of the present affair, either contributing nothing towards the common cause or sparingly; and though Virginia has indeed given £3000 yet it will avail but little unless a considerable body of troops be sent from this Province and kept up till the work is done, urging them to give supplies &c. Message sent

to the Delegates on Ohio & Susqa. in answer to one of theirs, confirming the old alliance with William Penn.

Dec. 17. Bill presented for raising £20,000 for the king's use; Governor sends it back as contrary to Royal instructions, not to pass any money Bill without a suspending clause that it should not take effect till his majesty's pleasure be known.

Dec. 19. Scaroooyady an Oneida who succeeded the Half King in the direction of Indian affairs at Aughwick, came with 2 others to Philadelphia and made speeches. Scaroooyady mentioned Col. Washington's first engagement with the French division, the interpreter said he was in the action and there were but 8 warriors who did most of the execution that was done. Col. Washington and the Half King differed much in judgment, and on the Col. refusing to take his advice the E. and I. separated.—After which the Indians discovered the French in a hollow and hid themselves, lying on their bellies behind a hill—afterwards they discovered Col. Washington on the opposite side of the hollow in the gray of the morning and when the English fired, which they did in great confusion, the Indians came out of their cover and closed with the French and killed them with their tomahawks: on which the Fort surrendered.

Dec. 19. Letter from Sir Thomas Robinson, Whitehall Oct. 26, 1755. Sir, Having informed you in my letter of July 5, that the King had under his Royal consideration the state of affairs in North America. I am now to acquaint you that amongst others measures, that are thought proper for the defence of his majesties just right and dominions in those parts; the king has not only been pleased to order 2 regiments of foot consisting of 500 men each, besides commissioned and non commissioned officers, commanded by Sir Peter Halkett and Colonel Dunbar, to repair to Virginia, and to be there augmented to the number of 700 each; but likewise to send orders to Governor Shirley and Sir William Pepperell, to raise 2 regiments, whereof they are respectively appointed Colonels, of 1000 men each, and also to sign commissions for a number of officers to serve in the said 2 regiments and who will forthwith repair to North America for that purpose. Whereas there will be wanting a considerable number of men to make up the designed complements of the said 4 regiments—it is his majesty's pleasure that you should be taking the previous steps, towards contributing, as far as you can, to have about three thousand men in readiness to be enlisted, and it is his Majesty's intention that a General officer of rank and capacity to be appointed to command in chief all the king's forces in North America, a Deputy Quarter Master General, and a Commissary of the Musters shall set out as soon as conveniently may be in order to provide every thing for the arrival of the forces above mentioned from Europe, and for the raising of the others in America. You will receive from that General and the other officers just mentioned a full and exact account of the arms, clothing and other necessities to be sent upon this important occasion, as likewise of ordnance stores and of the officers and attendants belonging thereto; all which being ordered for this service are such proofs of his Majesty's regard for the security and welfare of his subjects in those parts, as cannot fail to excite you to exert yourselves and those under your care to take the most vigorous steps to repel your com-

mon danger, and to show, that the king's orders, which were sent you last year by the Earl of Holderness, and were renewed to you in my letter of the 5th July have at last roused that emulation and spirit which every man owes at this time to his majesty, the public and himself. The king will not therefore imagine that either you or the rest of his governors will suffer the least neglect or delay in the performance of the present service now strongly recommended to you, particularly with regard to the following points viz:

That you should carefully provide a sufficient quantity of fresh vituals at the expense of your Gov. to be ready for the use of the troops at their arrival.

That you should likewise furnish the officers, who may have occasion to go from place to place with all necessaries for travelling by land, in case there are no means of going by sea—and that you should use your utmost diligence and authority in procuring an exact observance of such orders as shall be issued from time to time by the commander-in-chief for quartering the troops, impressing carriages, and providing all necessaries for such forces as shall arrive or be raised within your Government. As the articles above mentioned are of a local and peculiar nature and arising entirely within your Government it is almost needless for me to acquaint you that his majesty will expect that the charge thereof be defrayed by his subjects belonging to the same. But with regard to such other articles which are of a more general concern it is the king's pleasure that the same should be supplied by a common fund to be established for the benefit of all the colonies collectively in North America, for which purpose you will use your utmost endeavours to induce the Assembly of your province to raise forthwith, as large a sum as can be afforded as their contribution to this common fund to be employed provisionally for the general service of North America, (particularly for paying the charge of levying the troops to make up the complement of the regiment above mentioned) until such time as a plan of general union of his Majesty's northern colonies, for their common defence can be perfected. You will carefully confer or correspond with the said Gen. Sir William Pepperell and Gen. Shirley or either of them, and as it is the king's intention to give all proper encouragement to such persons in the king's name, that they will receive arms and clothing from hence and that they shall be sent back (if desired) to their respective habitations when the service in America shall be over. As the several governors in all the king's provinces and colonies in N. America will receive by this conveyance a letter to the same effect with this which I now send you they will be prepared at the same time to obey his Majesty's commands—and I am to direct you to correspond with all or either of them occasionally as you shall find it expedient for the general service." Sent to Legislature with a message.

Dec. 24. Long answer of house to Gov. on money bill—message in reply.

Jan. 1. House applies for the Governor's instructions—He declines.

Jan. 3. Votes and very long message of assembly against the instructions.

Jan. 7. Answer by Governor.

Jan. 10. House adjourned.

Jan. 14. Letters and papers in the Connecticut purchase of the Indians at Wyoming (by Lydius.)

Monday, March 3, 1755. Letter from Gov. Dinwiddie, Williamsburg, Jan. 15, inquiring if Gov. M. could supply 600,000 lbs. of flour, to be delivered at Will's creek [Cumberland], and if salt beef could be purchased in Philadelphia. "If your assembly votes a proper supply, the amount of the above may be paid from that. If not, as the service is not to be hurt for want of provisions, I will engage to pay the amount thereof." Answer, 4th Feb. "I am sorry the assembly of this Province has not put it in my power to supply the provisions for the troops. You are sensible they have been most

remarkably indulged both by the Crown and Proprietaries, and are granted to enjoy power *unknown to any other Assembly upon the continent, and even such as may render them a very dangerous body hereafter*. But not content with the privileges granted them by charter, they lay claim to many more, and among others an absolute exemption from the force of Royal and Proprietary instructions, and have been indiscreet enough to declare such instructions destructive of the liberties of the people, and infractions of their charter, though given for the Governor and intended to be binding on him alone. I would feign have persuaded them that it was an improper time to enter upon the consideration of an affair about which we could *never agree*, and from time to time entreated them to consider the danger they were in and make the necessary provision. But neither the incroachments of the French; the increase of their numbers; the defenceless state of the Province; nor his Majesty's commands had any effect upon them: for on the 10th Jan. they adjourned themselves without doing any thing to the purpose. Indeed they did by a resolve of the house without my knowledge or consent, empower a committee to borrow £5000 upon the credit of the House, and to dispose of it as they thought fit to some of the uses mentioned in Sr. Tho. Robinson's letter of 26th Oct. To this committee, I have applied, but do not expect they will lay out any part of that money to purchase provisions to be sent to Will's creek or indeed to any good purpose." A duplicate with this—"In answer to my application to the Committee of our Assembly, the Speaker who is one of them, sent me the enclosed letter; by which you will observe they do not think themselves obliged to furnish any provisions till the troops come into the Province." Gov. M. to Gov. D. Feb. 26. "The Committee of Assembly have agreed to deliver the flour of 14,000 bushels of wheat at the mouth of Conegochege, immediately on your notifying the arrival of the troops." Sir John St. Clair, Williamsburg, Jan. 14, announcing his arrival as D. Q. M. General of the troops to be sent, and those to be levied. Two regiments were to embark at Cork. Pressing a communication to be opened by cutting or repairing the roads towards the head of the Youhiehany, as "no General will advance without having a communication to the Provinces in his rear." Letter from Mr. John Rutherford to the Governor. Annapolis, Feb. 26. Announcing that Gen. Braddock had arrived at Williamsburg.

March 10. Letter from Gen. Braddock to Gov. M. Williamsburg, Feb. 28. "Sir, Your answer to Sir John St. Clair's first letter is just arrived. I waited for the return of the message, or would have informed you sooner of my being at Williamsburg, with his Majesty's commission to command all the forces in North America. I cannot help expressing the greatest surprise to find such pusillanimous and improper behaviour in the Assembly, and to hear of faction and opposition, when liberty and property are invaded, and an absolute refusal to supply either men, money, or provision for their own defence; while they furnish the enemy with provision which his majesty has been informed of, and has ordered all suspected vessels to be stopped and forfeited. But to provide more effectually against this unnatural proceeding, I think it very advisable to put an Embargo upon all provision, and I should be more obliged to you, if you would proceed immediately to issue such an order. It is astonishing to see one of the principal colonies preserving a neutrality, when his Majesty's dominions are invaded; when the enemy is upon the frontier; nay, when it is undetermined if the Fort Du Quesne is not in the Province of Pennsylvania. His Majesty to drive the French from their encroachments, and out of the great regard to his subjects in these parts, has ordered two regiments and a train of artillery from England. No measures are taken to repair roads, to provide stores and carriages, to transport the stores, nor were subsistence for those troops who are come to restore and preserve that property which their factious councils have suffered

to be invaded. My commission empowers me to settle the winter as I shall think proper. *You may assure your Assembly I shall have regard to the different behaviour of the several Colonies, and shall regulate their quarters accordingly, and that I will repair by UNPLEASANT METHODS*, what for the character and honor of the Assemblies I should be much happier to see cheerfully supplied. I hope you will not impute any part of this letter as being addressed or directed to you. I am thoroughly satisfied of your good intentions and the means you have used to obtain the necessary assistance, nor do I doubt your continuance of them. I must desire you to establish a post, with good horses, at convenient distances, between Philadelphia and Winchester, for the forwarding your's, and receiving my dispatches, which may be of great importance during the operation of the campaign, and I desire you will inform me of the places appointed. On considering Sir John St. Clair's letter, the committee judged it would be absolutely necessary to open a road from Shippensburg to intercept the road of the army from Will's creek to Fort Du Quesne, through Ray's town: and a commission for that purpose was issued by George Croghan, John Armstrong, James Burd, Wm. Buchanan, and Adam Hoops, Esq's, of the county of Cumberland, to explore and view the ground W. and N. of the Kittochitiny or blue hills, and of the great Virginia road leading from Harris' ferry; to survey and lay out such roads as they should think proper, and return to the Gov. drafts, with an estimate of the charge of opening; dated 12th March. Gov. undertook to pay the expenses immediately. Collector prohibited by Province from clearing out vessels having surplus provisions, till bond in £1000, given not to go to a French port in N. America.

March 18. Assembly met according to writs. Governor by message acquaints them with Gen. Braddock's arrival. That they might provide the men, provisions, and money expected from this Province, and recommending provisions for opening the road; to establish a post and provide their quota of the common fund to be lodged in the hands of a Treasurer. Governor reprimands Assembly for printing in the minutes Sir T. Robinson's letter of July 5, and 26th Oct. last, and that he would not communicate other state papers without their assurance that their contents should remain secret.—Gov. message stating he expected their clerk to attend him every night with the minutes of the day: as they had previously kept them secret.

March 20. Answer of Assembly to Governor's messages, vindicating themselves against the first, and stating the custom for 30 years, not to give a copy of the minutes till revised at the rising of the house. Governor wrote a letter to Messrs. Franklin and Hall, prohibiting them from printing in the minutes Sir Thos. Robinson's letters. Messrs. F. and H. intreated Mr. Peters that it might not be insisted on; and the Council also advised, at the present pressing juncture of affairs, but that these matters might be postponed. Governor persisted, and said also he would send his Secretary to the house to inspect the minutes. The Council earnestly pressed a postponement for the present.

March 21. Mr. Quincy came as commissioner from Gov. Shirley to seek assistance for building a fort near Crown Point. Gov. recommended it to the Assembly. Gov. sent his Secretary to inspect the journals of the house from the 17th to 20th inst. The Gov. sent a second message to the same effect. The house promised an answer to-morrow.

March 25. Letter from Gen. Braddock, Williamsb'g, March 10. "Sir—The enclosed is calculated to be laid before your Assembly if you should think it may be of any service towards bringing them to a state of their duty to his Majesty and their own interest upon the present occasion, for which purpose I would propose to you the calling them together once more as soon as possible. I am sensible of the difficulties you have in the management of so factious a people as those under your

government, but am persuaded they are not sufficient to discourage you from continuing your most earnest endeavors for reclaiming them to a reasonable conduct in this important juncture." Williamsburg, March 10th, 1755. "Sir—As it must be attributed principally to a *want of a proper union among the Colonies* that the French have had it in their power to make so great incroachments upon the King's territories in America, as they have lately done; it ought to be considered as a very strong instance of his Majesty's care and regard for them that he has sent a considerable force from England to their assistance, in order to repair those losses which their own misconduct has occasioned. As it is highly reasonable, he has declared that he expects the several colonies in proportion to their respective abilities, should furnish the forces with supplies of provisions and all necessaries, and likewise raise such additional numbers of men as shall be requisite for the purposes now intended upon. This occasion the Province of Pennsylvania, *by far the most populous, and most opulent of any upon the continent*, as well as most nearly interested in the event of the expedition, instead of making the earliest and largest contributions is endeavoring to take advantage of the common danger, in order to *encroach upon his Majesty's prerogative in the administration of his government*. In what light such conduct must appear to his Majesty may easily be conceived. As I am directed by him to advise and assist his several Governors upon the present occasion, I would propose to you, Sir, to call your Assembly together, and to endeavour once more to bring them to a sense of their duty to his Majesty and their own interest, by representing to them in the strongest light the consequences which must attend their neglect of it. With the assistance required of the Colonies I shall have good of answering his Majesty's expectations from me, by securing his dominions and the possessions of his subjects in these parts. Without their assistance it may not be in my power; and, in such case, it may be worth their while, particularly the Province under your government, to consider, whether it may not be *presumed that the government at home will take some method to oblige them*, to act for the future as becomes the duty of his Majesty's subjects. I must represent to you, Sir, what I have already mentioned in a former letter, that I am directed by his Majesty to propose to the several colonies to make one common stock of the money they shall severally raise, in order to serve as a provisional fund for the present service. Such a measure would greatly promote our success. But if it should be objected to, I must at least desire, that what is raised may not be particularly appropriated, but granted in general sums for the service of the expedition, I doubt not, sir, you will continue to exert your utmost endeavors for the present service, particularly by punishing according to their deserts all, if any such shall be found who are guilty of carrying on a traitorous correspondence with the enemy, by supplying them with provisions. I shall only add, that as I am to give a faithful account to his Majesty's ministers, of the behaviour of each Colony at this important juncture, I am still in hopes that the Province under your government will put it in my power to represent them as becomes their ability, their interest, and their duty to his majesty." Message from Governor, that by express from Maryland he was informed of the safe arrival of the transports in Virginia, with the troops and train of artillery, destined for American service, recommending raising supplies, &c. "I earnestly beseech you, Gentlemen, well to consider what may be the consequence of your now refusing to grant the necessary supplies, as we may be assured his Majesty will *not condescend repeatedly to recommend to you, in vain*, the making provision for your own defence; but will doubtless, upon your refusal, be enabled by his Parliament to oblige those who reap the immediate benefit of such a chargeable protection to contribute their proportion of it; and if by a disappointment in the articles expected to be supplied by you, the great expense that



the nation has been put to for the security of these valuable branches of the British empire should be rendered unavoidable, you cannot but think you will justly draw upon you the *resentment of his Majesty and a British Parliament.*" Letter from Gov. M. to Gov. Shirley; March 25. "Mr. Franklin is laboring hard to prevail with them (the Assembly) to give £40,000 for the general service, and to sink it by a tax in 5 years. But even he despairs of success; and thinks they will only offer me a bill of the same nature of that refused to pass last session." Gov. M. to Gen. Braddock, March 12th, Philadelphia. "The conduct of the Assemblies upon this continent almost without exception has been so very absurd that they have suffered the French to take quiet possession of the most advantageous places, not only to answer the purposes of a very extensive Indian trade, but to enable them to protect their own settlements and annoy ours—such are their forts at Niagara, Crown Point, and the several ones upon Lake Erie, the river Ohio and its branches. It is now about four years since the Indians first informed us of the designs of the French to take possession of the country upon the Ohio, and were very desirous that we should build a strong house at or near the place where the French fort now stands; and Mr. Hamilton, then Governor, recommended the matter to the Assembly, but they refused to be at any expense about it: though a thousand pounds sterling would then have been sufficient. And having shamefully suffered the French to encroach upon them, now more shamefully refuse to afford assistance to the troops that are employed to remove them. I am, sir, although ashamed to tell you, that we have in this Province upwards of 300,000 inhabitants; that we are blessed with a rich soil and temperate climate, and besides our own consumption, raise provisions enough to supply an army of 100,000 men, which is yearly exported from this city, and with other commodities employs upwards of 500 vessels. From a Province so circumstanced, what might not have been expected, especially as we are burthened with no taxes, and are not only out of debt, but have a revenue of seven thousand a year, and £15,000 in bank: all at the disposal of the House of Assembly. And yet when their A.I.L. is invaded, they refuse to contribute to the necessary defence of their country by establishing a militia or furnishing men, money, or provisions." Answer of Assembly to Governor's last message—"May it please the Gov. when the present sitting is ended the minutes will be revised by the committee appointed for that purpose, and immediately printed, and when printed, a fair copy will be presented to the Governor, according to our long continued custom.—Till then, we hope the Gov. will excuse us, if we do not permit any person to inspect them, or any copy of them to be taken. Bill for striking £25,000 in bills of credit for the King's use, and providing a fund to sink them, presented to the Governor by the clerk of the House.

March 31. This bill Gov. said was of the same tenor as the one to which he had refused his assent at the last sitting of the Assembly, and that he could not pass it without a breach of duty to the crown. Conrad Weiser arrived in town. Scarooody was sent for, and he with Aroas, Daniel and two other Mohock Indians came into Council. Scarooody gave an account of his embassy to the six nations. By which it appeared the six nations were very much divided. Two between the French and English interest, while some (Canowagos) were for being neutral—saying that the French took their lands by force, and the English purchased them piece by piece, for a little matter, which soon spent, and they became straitened for lands. That the best policy was to give fair words to both English and French; but not partake in their quarrels.

April 1. Message from Gov. to the Assembly stating, that the bill for striking £25,000 was, for the reason above stated, refused his assent.

April 3. Two members waited on the Gov. to desire of the Gov. on part of the House to return their bill for

striking £25,000. The Gov. informed them, that he found that bill to be of so extraordinary a nature that he thought his duty required him to lay it before his Majesty, and accordingly for that purpose he should keep it.  
(To be continued.)

#### REPORT OF THE FACULTY OF THE MANUAL LABOUR ACADEMY OF PENN.

To the Board of Trustees.

The internal operations of this Academy embrace three extensive departments, viz: Instruction, Domestic Economy and Recreation. It was originally intended, and it is still desirable that each of those should be under a distinct superintendence. But it was impossible in the outset to carry this plan into effect. Neither were persons to be found who could fill these several offices, nor were there means to support them.—The whole charge was therefore committed to the Principal, who, with the temporary assistance of two other gentlemen, discharged the duties of the several departments until the first of October; when the Professor of Mathematics took his place in the Institution.

The Academy was opened on the first of May, with four pupils. The increase was gradual and at the end of three months they numbered about twenty. Some of those, however, were only temporary, either from their previous calculations or from being unwilling to submit to our rules. On the first of August there was a remission of the regular exercises of the classes and permission given to those who had occasion, to visit their friends for a fortnight.

About one half made use of the vacation; the rest remained, attended to some studies out of the regular course, and to the regular daily labor as before. A small accession had been made during the present quarter and the present number is 25, and the whole number received has been 33. They are all promising youth of respectable talents, and of habitual industry. Such youths we are happy to find are pleased with the mode of Education. It is ill suited to none but those who cannot be reconciled to regular bodily exertion or those who would require nearly their whole time to keep pace with ordinary scholars. And if it should exclude such from the learned professions the public will be no great loser. From the experiment already made we are fully convinced, that the regular employment both of mind and body is essential to the best welfare of both.

The health of the whole family has been remarkably excellent. In few cases has the aid of the Physician been requisite and in those, with the exception of one, the patients brought their diseases with them. Every invalid who has continued with us any length of time has been restored to health. Our inmates are almost without exception, either professors of religion or children of pious parents. Ten of the students are preparing themselves for the gospel harvest. One is a pious coloured man who acts as a servant in the house and receives private instruction with a view of being useful to the people of his colour, 12 of our number are from the state of Pennsylvania, 8 from N. York, 1 from Connecticut, 1 from Maine, 1 from Delaware, and 1 from Alabama.

#### INSTRUCTION.

Nearly all our students are commencing a course of liberal education and are therefore principally employed in the study of the languages. The Books now in reading, are Selectæ Profanis, viri Romæ, Greek Reader, and Historia Sacra, together with the grammars of both languages. A class has likewise commenced the study of Geography; and all Alexander's evidences. Individuals have been instructed in Algebra. There is a class in Geometry, Surveying, and Book-keeping. Some exercises are general. All the younger class are required to spend a portion of their time in Arithmetick, and Penmanship. All without exception are exercised in English reading, spelling, grammar, composition, decla-

mation, disputation and daily reading of the Scriptures. On every Sabbath, all attend public worship and have two recitations in the Bible memoriter and catechetically. Care has been taken by the Instructors not only to make their pupils acquainted with science and classical literature but to improve their manners, their moral habits and their religious character. In communicating instruction we endeavour to be most thorough and accurate; being well persuaded that this is the most profitable and expeditious way of improving the mind. It is our object as far as practicable to give the student a full understanding of what he is to commit to memory.

#### DOMESTIC ECONOMY.

This forms a very important branch of our Institution. By boarding all its members together, and with the Instructors and their families, we promote at once the comfort, the welfare, and the improvement of the students—their health, their habits of politeness, and their piety. It is likewise a saving of expense, immediately to the Institution and eventually to the public. In no ordinary circumstances could comfortable and good boarding be afforded at a lower rate; and it has been our aim to have the best plain, wholesome fare, and in as great a variety as was consistent with economy and health. But this department has been managed with great difficulty: owing partly to the infancy of the Institution, and partly to the straitened resources. After expending all that was received from the students for board and tuition, and exhausting our own private funds, in furnishing lodging rooms and making repairs, we found ourselves without the means of defraying the amount of expenses. We remember with gratitude the very seasonable relief afforded on these trying occasions by the generosity of individuals in the city, and especially by that of several benevolent ladies in the City and Northern Liberties.

The inconvenience which most families experience, in procuring suitable domestic laborers has been in our case peculiarly afflictive. Whilst several persons were needed, it was seldom we could find one who could safely be brought into such a household, and we were sometimes obliged to be entirely destitute. We are now, in this respect most happily provided for.

The provisions of the table during the early part of the season were all to be procured from the market and much of them at high prices. But since we got possession of the farm we have lived much more independently. We have been supplied with milk and vegetables and also *with horse feed*. We still continue to purchase flour, as our crops will be insufficient and we have not had leisure to thresh more than was necessary for seed. The repairs which have been made on the building will enable us now to accommodate between 30 and 40 students. Some other repairs might be made usefully and some more shop-room is needed.

#### RECREATION LABOUR.

Agreeably to the principles of the Institution every student has been required to spend three or four hours daily in useful labour. The arts in which they have been employed are carpenter work, gardening and farming. Three of them are good workmen in wood, and are not only profitable by their own labour, but serve as instructors to those who are less experienced. Six or seven have been usually employed in that department. They have made the various repairs of the buildings and nearly all the needful furniture. They have also executed some orders from the city for small wooden articles. This may serve as a hint to the friends of the Institution to endeavor to furnish the young men with such employment. The business of farming and gardening has been carried on with tolerable success, though we have experienced the inconvenience of not finding one young man amongst our number who was skilled in this business. The garden and the farm are in want of some additional manure. For want of a ploughman at the proper season, our winter crops have been

put in late, and but a small portion of our ground has been sown. The crops of the season past have been well secured. We are not able to give their exact quantity, but we have probably of corn 150 bushels and of potatoes 350. This soil is very easily tilled and with a suitable portion of manure highly productive.

No serious difficulty has been experienced in conducting the several branches of business. The more advanced class of students have pretty uniformly been diligent and faithful, and most of the younger class, as far as they have understood business have done well.—They have acquired much practical skill and dexterity, and evince no dislike to labour, but cheerfulness and promptitude on all occasions. Several of the students deserve much credit for their obliging habits and their readiness to observe the wants of the institution; and it is particularly gratifying to discover these habits amongst the best scholars. We have indeed regular hours of labour, but there are occasions when some small services may be more important than the regular labour.

The principles adopted by the Board in estimating labour have, as we can discover, proved judicious; they are principles of equity, "rewarding every one according to his works." They give general satisfaction and they serve to encourage virtue and industry. According to them all good conduct, faithfulness, zeal for the school, generosity and moral influence are taken into the account and rewarded. By the estimates already made, our sober, industrious young men have very small balances against them.

The younger class of lads, while they increase the income of the school, have a small expense to bear, when compared with that of other institutions where similar advantage for mental improvement are enjoyed.

Some persons have objected to the charges here made, as being too high. But it should be understood that the charges are determined by the established usage of the neighborhood. To put them lower is to benefit the rich, whose sons have more to pay than those who labour more: but it would not benefit our poor young men, whose compensation will nearly equal their charges whether they be high or low. And if they require still further relief, that can be afforded by cancelling the charges against them, without offering to others any other terms than those of equity.

From this brief view of the operations of our plan of educating youth, it must have been evident to the slightest observation, that there would result from it many advantages and those of no small moment, not only to the poor and pious, but even to the younger sons of men of fortune who are also to be found amongst our inmates. Some of these advantages we shall briefly enumerate.

1. The benefit of the plan with regard to health is a certain one. And this alone, were there no expense saved, should recommend the plan not only to the poor but to the rich. Of what avail is education to a youth when health is lost. And this is the ordinary result of diligent study, without regular and systematic exercise. Those who avoid this evil are generally those who do not study and who have only the name of an education.

2. Habits of industry and economy are inseparably connected with the plan. And without these habits, what man is qualified, either to hold property or be useful to others? What Christian, or minister of the gospel can exemplify the precepts which he professes and inculcates? How can he preach the gospel to the poor?

3. It obviously lessens the expense of education and places its advantage within the reach of honest poverty, whilst it enables the rich to employ their means in educating a greater number of persons. Were the plan universally adopted, learned men would perform a part of that labour which now engrosses the attention of the ignorant, and the latter would participate in the benefits of learning.

4. Moral and religious habits are cherished and re-

garded. To effect this is a prominent object of the institution and it is effected in two ways. First, by usefully occupying the time of the student and thus preserving him from the temptations of idleness and improper company, and secondly, by placing him under the direct moral influence of good society, and of the teachings of God's holy word. This effect with us has been already visible, and we trust will be yet much more so.

5. A manly independence is cherished in those who would otherwise have been leaning on the hand of charity, or have been supported entirely by the earnings of their parents. They have the satisfaction of feeling that they can do something for themselves and are not entirely dependent upon others for their education.

6. It supersedes in a great measure, the necessity of severe discipline. Motives are chiefly addressed to the understanding and the heart, the government is purely domestic and paternal, and seldom requires the infliction of punishment.

7. The particular bearing which this mode of education will have upon the different classes of students in a moral point of view, is worthy of notice. With regard to those young men who hope to preach the gospel and who are the first objects of our attention, it is surely no less important that they should improve in their moral habits and religious character than that they should acquire classical learning. To aim only at the latter and overlook the former, however unintentional, is, in effect, to degrade the work of the gospel, and to substitute in a large measure, heathenism with all its abominations for the teachings of the Holy Spirit. It is truly surprising, that in the preparation for this work, in which eminent piety is most essential, and next to it common sense and an acquaintance with the human character, as it is seen in the ordinary walks of life, and in the last place, classical learning; it is surprising that this last should be placed first and the first last; or rather that in most of our classical schools, and those too, patronized by Christian parents, piety should form no part of education. The salutary influence which we have witnessed operating in our Academy may be traced not merely to the Biblical instruction which is daily given, but the mutual reaction of many youthful minds, having the same great and holy object in view, and freed, in a great measure, from the snares of the world. We have another class of students, younger in years and less steady in their habits, but associated with the former, and we trust with mutual profit to both. In them the candidates for the ministry witness specimens of the unbelieving world in which they are soon to labor, and at the same time are furnished with an interesting field for the exercise of Christian zeal and benevolence. And where could these lads be more judiciously disposed than along the side of those who fear God, and who make religion the great business of their lives? Would any intelligent Christian parent be willing to sacrifice the benefit of such a place for any of the ostentatious forms or promises of a worldly education? We should be grieved at the idea of being considered mere eulogists of this system of education. We are not conscious of having offered any argument in its favor which did not appear to us to have been founded on actual experiment, most of which was our own, confirmed by the attestations of men of the highest reputation in our country, for learning, intelligence and sound common sense, and many of them for their enlightened piety and fervent devotion. And we are not merely anxious that these arguments should operate in favor of our own institution, but rather that they should present to the public the obvious means of advancing the cause of Christian education, of excluding some fatal evils with which it is often attended, and of rendering it more useful to mankind and subservient to the cause of Christ. If any one should object to the system on account of the particular management of this institution or its local situation, whilst we would not stand to contend for these circumstances, but admitting them for the sake of argument to be unfavor-

able, we would invite him to come and examine for himself, and ascertain by actual demonstration, whether the system, even under unfavorable circumstances is not worthy of the most zealous patronage.

The local situation of this academy has been a subject of frequent remark and perhaps in the minds of some judicious persons is of doubtful expediency.

Its proximity to a great city has unquestionably rendered its nominal expences higher than they would have been in most other situations, and so much so as to seem absolutely forbidding, as we are told they have been to some persons at a distance unacquainted with the whole subject. It ought to be recollected that in places where living is high, and where the business of instruction should be high, generally speaking, the price of other labour will stand nearly on the same level, and that those students whom it is our principal design to accommodate are expected to pay the chief part of their expenses by their labour. Here then the expenses are to be balanced by the means of payment.

And in making a comparison between different places this point should be ascertained; whether, the means of instruction being equal, the balance of debt against students of the same character be greater in the one place than in the other. To know what the means of instruction may be worth, it ought to be inquired whether the instructors, are sufficiently skillful, thorough, and in other respects competent. For the difference of the value of instruction and discipline may be so great as in one case to double its worth in another. The next inquiry may be respecting the means and facilities provided for the bodily exercise of the student and for the diminution of his expenses, and what may be the comparative amount of that diminution in ordinary cases or in any given case. It may also be inquired, and perhaps it is the most important of all inquiries, what prospects the institution furnishes of preserving and promoting the moral and religious habits of youth, or of inducing them when such habits are wanting.—With regard to the location, the inquiry should be, not so much what is the character of its immediate neighbourhood, but whether there is easy access when opportunity serves or occasion requires, to mingle with the most enlightened and intelligent society. And indeed a dense population which seems to present some disadvantages to such an institution is most favourable to the development of the human mind. An answer to these inquiries when fairly made, will perhaps be most satisfactorily given from an institution located near a great city. Whether it be placed near or farther from the city, thence it is likely to derive its chief endowment. Philadelphia has in a great measure endowed an institution of a similar kind in Tennessee. New-York city has partly endowed one in the centre of its own state, and another almost entirely in its neighbourhood in the state of New Jersey. It is proper that the Institution which Philadelphia principally endows should be in its immediate vicinity, and be under its own direction.

JOHN MOSTEITH, }  
W. H. BURROUGHS, } *Instructors.*

*Germantown Nov. 9th 1829.*

#### ANNUAL REPORT OF THE, UNION CANAL COMPANY.

The Board of Managers, at the Annual Meeting of Stockholders in November last, expressed the gratification afforded them, by the general result of the first year's experience in the actual use of the Canal, and so far as regards the work under their charge, they can repeat those expressions of satisfaction with a confidence derived from the trial of a second year. Some delays and embarrassments were at first unavoidable, from the unskillfulness or neglect of the Lock-tenders, from an ignorance of the points most exposed to injury, and of the accidents, against the recurrence of which peculiar caution

is required. But these difficulties have been entirely overcome by the zeal, intelligence and ability of your resident engineer, and it is believed few public improvements now afford greater facilities of communication than the one you have so recently completed.

Since the opening of the navigation in April, no interruption, beyond a few days, has occurred, and if the trade of the spring and summer had been at all commensurate, with the capabilities of the Canal, and only limited by the quantity of water at your disposal, the Board would have laid before you a statement justifying the most sanguine expectations they have entertained. But, they regret to say, that for the greater part of the season, while the canal was in perfect order, and navigable without detention, throughout its whole extent, the transportation was comparatively trifling.

A reference to the causes producing this result, which are perfectly apparent, and in their nature only temporary, will show, that it cannot with any propriety, be urged as an argument against the ultimate success of your undertaking. The state of Pennsylvania, during the year 1828, was engaged in the erection of Dams across the Susquehanna at Clark's Ferry and Sunbury; and others have since been commenced upon its several branches,—where these works cross the whole stream it became, except with freshets of extraordinary height, almost impassable; and even when but a portion of the channel was occupied, the rapidity of the current increased the danger of the descent. The existence of these obstructions, materially diminished the preparations made in the country, to take advantage of the usual rise of waters, and even, of these preparations, a part were rendered unavailing, by the dryness of the seasons, and the consequent state of the river. It will also be recollected that the partial failure of the last year's crops diminished the surplus for exportation, and that the extensive market, created in the neighbourhood of the various public improvements, absorbed no inconsiderable share of that surplus. The trade of the Susquehanna in those articles, giving the highest tolls, has thus fallen far short of its average amount;—and the expense of a transshipment and a portage, which the imperfect construction of the outlet locks at Middletown rendered unavoidable, induced that trade to prefer the navigation down the river to the waters of the Chesapeake.

The continuance of this portage the Board never anticipated. The outlet locks connected with the Pennsylvania Canal were to all appearance, finished in November last. They were, however, found defective, and have but very lately been repaired. To guard against a similar occurrence, the Resident Engineer was, in accordance with his earnest advice, instructed to have a communication made under the direction of Mr. White, from the Company's Basin into the harbour at the mouth of the Swatara. These locks two in number, have been completed at an expense of less than four thousand dollars, and are ready for immediate use.

From these circumstances it will be evident that the Union Canal, instead of being used as a means of general transportation between the east and west, has brought to market little more than the products of the counties on its borders:—but the managers trust that another year will effect a great change. The Pennsylvania Canal will then be certainly in full operation, forming an uninterrupted chain of inland navigation between this city, Northumberland, and Lewistown; at these points arrangements will be made to forward merchandize, by land, to the places of its destination, and the company will then derive the full benefit of the return trade, which the difficulty of procuring land carriage from Middletown, has in a great measure excluded from their canal.

In confirmation of this expectation, the Board have learnt that 50 or 60 boats, suited to the size of their locks, are now building on the Susquehanna and Juniata; and the single fact, that the difference of freight to Harrisburg, by land and water, amounts at present to

\$5 50 per ton, proves most conclusively, that your Canal must soon be in the possession of a trade realizing in their fullest extent the calculations of its projectors.

Entirely convinced of this, the Board have neglected no means of economizing and increasing their supply of water. The feeders constructed on the western section, and the additional height of Hammaker's Dam, has given an abundance upon all the lower levels; and by sheathing and raising the sides of the summit, it is protected from leakage, and may be used as a reservoir whenever a scarcity is apprehended. The embankments have also been strengthened, and every means the engineers could devise, to perfect the navigation and prevent accidents, carried into execution.

The completion of the Dam at the Swatara Gap, according to the plan proposed by Mr. White, in a letter annexed to a former report of the Board, has been urged as rapidly as was consistent with its safety; and will be effected before the arrival of the only season at which the demand for water can exhaust the ordinary resources.

At the last Session of the legislature, a law was passed, repealing the proviso in the first section of the Act of the 3d of March, 1826, by which the Company were prohibited from erecting any works, preventing the descent of rafts in the channel of the Swatara. This supplement, required the assent of the Stockholders, and a special meeting was accordingly called in the month of May, at which these several additions to their charter were accepted, and the Board directed to extend the Canal from the head of the navigable feeder, to a point at or near Pine Grove, as soon as it should be considered expedient. By this last act the privilege conferred by the former were to be forfeited, unless the work both above and below the large reservoir was commenced in the year 1829.

As soon as the surveys upon this route were made and the canal located by the chief Engineer, the resident engineer was directed, by a resolution of the 11th of August, 1829, to place the part below the Swatara Gap under contract, and the managers being satisfied, by minute and repeated examinations, that an unlimited quantity of coal of the best quality, was to be obtained in the vicinity of Pine Grove, subsequently ordered its extension to a point, to be selected by Mr. White, as near that village as was advisable. This duty has been performed, and the head of the navigation fixed at about four miles from what is called "*The Coal Region*." The progress already made by the contractors upon the different sections of this work, will insure its termination by July next. From the basin, at its northern extremity, Rail-roads will be carried along the valleys of the Swatara and its various branches, which intersect the country in every direction, and afford ground admirably adapted for their construction:—another opening at Fishing creek, near the termination of the great reservoir, is said to possess equal advantages, both as respects the position of its coal and the facility of access.

Whether these Rail-roads, or any part of them, are to be made by the Company or individuals is still undecided, but the managers can see no reason why, when they are once in operation, the Union Canal may not enter into competition with the most favorable navigation, in the delivery of this important mineral. A committee who visited these mines within a few days, ascertained from personal inspection, and the opinion of competent judges, that they can be wrought as easily and economically as those of Mount Carbon, and it is confidently predicted, that at no very distant day, the Swatara coal will form an important item of the consumption and exportation of the city of Philadelphia. The Stockholders can readily appreciate the advantages they will derive from such an event.

The Managers in concluding their Report, must again be permitted to express their heartfelt regret at the loss the Company have sustained, by the death of their late President, Mr. S. Mifflin. Untiring in the discharge of

his various and arduous duties; disheartened by no difficulties; chilled by no disappointments, his active and fertile mind enabled him to supply every want, and remedy every deficiency. Engaged in an enterprise which was at first resisted with unexampled violence, the openness, fairness and firmness of his conduct conciliated where it did not silence his opponents; and the influence of his character, and the reliance placed upon his judgment, confirmed the confidence of the public in its final success.

The Board have also to lament the death of Mr. William Lehman, who for many years participated in all their labours; and in his public station, seized with great effect, every opportunity to procure the patronage of the state, without which, the Union Canal would have been still struggling with the discouragement, under which it suffered for such a length of time.

The memory of these gentlemen is cherished by every one with whom they served, and a review of the whole period of their connexion with the Board, affords no single recollection to impair the respect and affection with which they were uniformly regarded.

The Treasurer's Account, showing the sum of \$13,957.56, to be the balance of cash in his hands on the 1st inst. is herewith annexed; together with a statement of the Tonnage which passed the Canal, from the 4th of April to the 1st of November, 1829.

All of which is respectfully submitted.

By order of the Board of Managers,  
WILLIAM READ, CHAIRMAN.

Philadelphia, November 17, 1829.

The foregoing Report was presented, read and accepted; and the following gentlemen were elected to manage the affairs of the Company, for the ensuing year.

WILLIAM READ, *President.*

*Managers.*

GEORGE VAUX, PETER HAHN,  
WILLIAM BOYD, WILLIAM Y. BIRCH,  
CHARLES GRAFF, SAMUEL BAIRD, of Reading.  
WILLIAM W. FISHER, HENRY J. WILLIAMS,  
JACOB GRATE, THOMAS W. MORRIS,  
FRANCIS G. SMITH, JOHN A. LEAMY.

*Engineers now in the employment of the Company.*

CANYASS WHITE, Chief Engineer.

WILLIAM LEHMAN, Resident Engineer.

BENJAMIN AYCRIGG, Assistant Engineer.

UNION CANAL COMPANY

*In account with* THOMAS P. ROBERTS, *Treasurer.*

DR.

|       |   |            |
|-------|---|------------|
| 1828. | To cash paid by order of Board of Managers, from Nov. 1st, 1828, to February 1st, 1829, | DOLLS. CT. |
|       |   | 80,585 47  |
| 1829. | To cash paid by order, from February 1st, to May 1st,                                   | 41,035 48  |
|       | To cash paid by order, from May 1st to August 1st,                                      | 93,345 21  |
|       | To cash paid by order, from August 1st, to November 1st,                                | 78,974 89  |
|       | Balance,  | 13,957 56  |
|       |   | 307,898 61 |

CR.

|           |  |            |
|-----------|--|------------|
| 1828.     | By balance, as per settlement of the Committee of Accounts, Nov. 1st 1829, | DOLLS. CT. |
|           |  | 11,942 67  |
|           | By cash received, from November 1st 1828, to February 1st, 1829,           | 69,158 96  |
|           | By cash received, from February 1st, to May 1st,                           | 43,206 69  |
|           | By cash received, from May 1st, to August 1st,                             | 119,602 83 |
|           | By cash received, from August 1st, to November 1st,                        | 63,987 46  |
| 1829.     |  | 307,898 61 |
| Nov. 1st, | By Balance,  | 13,957 56  |

Philad. Nov. 1st 1829. T. R. ROBERTS, *Treasurer.*

Examined and compared with entries, and found correct.

WILLIAM BOYD, } Committee of Acts.  
PETER HAHN, }

The whole amount of tonnage which passed the Canal, from the fourth of April, 1829, to the 1st of November, was 20,532 tons, 7 cwt. 2 qrs. 1 lb.

Tons. cwt. qrs. lbs.

|       |    |   |    |   |
|-------|----|---|----|---|
| 3,685 | 17 | 3 | 11 | Fish, salt, and merchandise.  |
| 1,627 | 5  | 3 | 10 | Gypsum.   |
| 5,198 | 4  | 0 | 6  | Lumber.   |
| 1,460 | 17 | 0 | 0  | Shingles and staves.  |
| 661   | 12 | 2 | 0  | Iron.   |
| 2,998 | 9  | 0 | 21 | Flour, wheat, rye.  |
| 534   | 4  | 1 | 18 | Whiskey.  |
| 778   | 9  | 0 | 0  | Coal.   |
| 3,587 | 7  | 2 | 19 | Clover seed, bricks, leather, cement, butter, lard, limestone, flax seed, soap, nuts, &c. |

20,532 7 2 1

### INTERESTING LAW CASE.

In the District Court of the United States for the Eastern District of Pennsylvania, Judge Hopkinson presiding, the suit of the Postmaster General against John Norvell, one of the sureties of Richard Bache, late Postmaster of Philadelphia, was yesterday brought to a close, after having occupied the close attention of the court and jury for six days. The facts were simply and briefly these:—On the requisition of the Postmaster General, Richard Bache executed, on the 8th of July, 1825, a new bond for the faithful performance of the duties of his office as Postmaster of Philadelphia, under the penalty of thirty thousand dollars. To this bond the names of William Milnor, jr. and John Norvell were attached as sureties. The bond was sent on to the post-office department by Mr. Bache; at what time does not appear; but on the 21st September, 1825, a little more than two months after the date of the instrument, it was returned to Mr. Bache by the Postmaster General, accompanied by a letter, requiring an additional surety, and declaring that *he had purposely withheld the bond, or postponed its return, to enable Mr. Bache, by paying up the balance against him, to obtain additional surety without difficulty or embarrassment.* Additional surety never was obtained; and the bond remained in the hands of Mr. Bache or his family until after his dismissal from office in April, 1828.

Mr. Bache, in the intermediate time, was repeatedly required to return the bond to the department, but always on the condition of furnishing the additional surety; which, as the letters generally declared, was indispensably necessary. It appeared also from the account current between the department and Mr. Bache, furnished by the former, that at the date of the new bond, Mr. Bache owed to the department a balance of 26,949 dollars, about \$4,500 more than the sum due from him when he was dismissed, and for the recovery of which the suit was instituted. It also appeared, that during the existence of the new bond, Mr. Bache actually paid the department several thousand dollars more than the amount of postages which accrued or became due within that time; that, however, the balances, at the beginning of every quarter after the date of the new bond, were against the late Postmaster of this city, varying from 14,000 to 29,000 dollars; and that he was consequently a continuous defaulter the whole time, except when, by appropriating the postages of one quarter to the payment of the balance against him for the antecedent quarter, he was occasionally enabled, towards the end of the second quarter, to extinguish or reduce what was due from him the preceding quarter.

Upon these facts, the counsel for the defendant con-

tended, first, that the acceptance of the new bond by the postmaster general was essentially necessary to render it valid; and that it being manifest from the return of the bond, and from all the other evidence, that the postmaster general never intended to accept it as it was sent to him, and it not being legally competent for him to alter, substitute, or add to it, without the consent of all the parties, the instrument was null and void. They contended, in the second place, that even if the bond had been accepted, and could be considered as valid, the sureties were released under an act of Congress, providing that if the postmaster general shall fail to institute suit for two years after default is made by a deputy postmaster, the sureties cannot thereafter be sued. These two main points led to a discussion of a variety of incidental ones, all of which had a material bearing upon the merits of the case.

Judge Hopkinson yesterday morning, (Nov. 25), delivered his charge to the jury, giving at large his views of the law and the facts. The jury retired a little before 2 o'clock, and in a few minutes returned into court with a verdict for the defendant.

Mr. Dallas, the district attorney of the United States, conducted the cause for the plaintiff; and John Swift and Josiah Randall, Esquires, were the counsel for the defendant.—*Penn. Inquirer*.

### DOCUMENTS

#### *Accompanying the Governor's Message.*

We have been favored by one of our Senators with a considerable portion of these documents—which, as far as sent us, are the correspondence between the officers of government and different banks, relative to the Loans. We do not conceive them of sufficient importance to be given at length—yet think the substance of them ought to be laid before the public, to shew the measures which were taken, and the offers made on this subject. We have, therefore, attempted an abstract of them, which will give all the information which may be desirable.

I. Correspondence relative to the TEMPORARY LOAN, authorized by the act of 18th Dec. 1828.

1. Letter from Secretary of State to different banks:

*Secretary's Office, Harrisburg, 5  
December 19, 1828.*

SIR—By an act of the General Assembly, of the 18th inst. a copy of which is inclosed, the Governor is authorized to borrow a sum not exceeding 800,000 dollars, to be repaid at any time within 6 months after the passage of the law referred to. I am instructed by the Governor to inquire of you, whether the Pittsburg Bank will loan to the commonwealth, under the provisions of the said act the sum of 400,000 dollars, to be deposited to the credit of the commonwealth, in such bank as the Governor shall designate, on the 1st day of Jan. next, at an interest not exceeding 5 per cent. per annum, to be repaid at any time previous to the 18th day of June next, at the pleasure of the Governor.

If the bank should not be prepared to advance the whole sum on the first day of January next, I am instructed to inquire what sum can be advanced on that day, and whether the balance, or what portion of it, can be advanced previous to the first day of February next, and on what day it can be placed to the credit of the commonwealth.

Very respectfully,

Your obedient servant,

C. BLYTHE.

JOHN McDONALD, Esq.

President of the Pittsburg Bank.

Similar letters were addressed on the same day to the following named banks, each letter enclosing a copy of "An Act authorising a loan for the continuance of the

Pennsylvania Canal and Rail-road, and for other purposes," passed 18th Dec., 1828—Westmoreland Bank of Pennsylvania, Chambersburg Bank, Carlisle Bank, Lancaster Bank, Farmers' Bank of Lancaster, Farmers' Bank of Reading, Bank of Chester County, Bank of Montgomery County, Easton Bank, Northampton Bank, Bank of Pennsylvania, Bank of North America, Mechanics' Bank of the City and County of Philadelphia, Commercial Bank of Pennsylvania, Bank of Penn Township, Southwark Bank, Schuylkill Bank, Farmers' and Mechanics' Bank, Philadelphia Bank, Bank of Germantown, Kensington Bank, York Bank, and Harrisburg Bank.

2. Letter from the Farmers' Bank of Reading, dated December 24, 1828, offering a loan of \$25,000 at five per cent: redeemable on the 18th June last—to be placed to the credit of the state on the 1st Jan. 1829.

3. Letter from Secretary, accepting the loan as offered.

4. Letter from Schuylkill Bank of Philadelphia, offering 10,000 dollars upon the same terms. Accepted by Secretary, over letter 5.

6. Letter from Carlisle Bank offering 10,000 dollars.

7. Letter from Secretary accepting—and stating that it had been intimated to the Governor, that a further loan might be made, if an arrangement could be entered into to circulate the notes of the Carlisle Bank.

8. Letter from that Bank offering a further loan of 10,000 dolls. in its bank notes, to be circulated on the line of the canal.

9. Letter from Secretary, accepting on those terms—requesting the notes to be sent to the Treasury in a day or two after its date.

10. Offer from Bank of Chambersburg, of 20,000 dollars, by the first of Feb. 1829.

11. Answer of Secretary, inquiring whether, as the money was wanted for immediate and pressing engagements, it could not be furnished by the 10th or 12th of January, and proposing to circulate its own notes.

12. Reply of the Bank of Chambersburg, agreeing to the Secretary's proposal, and stating in reference to the circulation of its notes "that this institution has thought itself aggrieved, by a contrary practice from that now proposed, by advice of the Governor; we are chartered, pay a tax, and in common with every other bank in the state, constantly pay specie for our notes, on demand, yet we have always seen our paper returned in packages, and notes of other banks paid out and put in circulation—a circulation which we thought our notes ought to have received. We have no inclination to complain, it is at best poor business, and I assure you, would not have been mentioned now, except from the introduction of the subject aforesaid."

13. Secretary's acceptance of the loan of 20,000 dolls.

14. Bank of Northampton, will loan 10,000 dolls. and will deposit the amount in such bank as the Governor may direct, "exclusive of 5 per cent. of its capital."

15. Secretary accepts.

16. Bank of Pittsburg offers 35,000 dolls. which Secretary (17) accepts.

18. Bank of Montgomery offers 25,000 dolls.—accepted (19.)

20. York Bank declines making any offer—as the sum of 400,000 exceeds their disposable means.

21. Letter from Secretary in reply—supposes his letter was misunderstood, and says any part of the amount will be accepted.

22. Letter from A. L. Beaumont and O. H. Dibble, as follows:

*Harrisburg, Dec. 29, 1829.*

SIR—Under the provisions of the act of assembly, passed the 18th day of December, 1828, authorizing a temporary loan of 400,000 dollars, we will loan to the government the sum of 30,000 dollars, upon condition that this sum be appropriated to the payment of a draft on A. Mahon, treasurer board of canal commissioners, drawn by William Wilson, superintendent, dated the

26th inst., in favor of James Lesly, cashier, and now in possession of the Office of Discount and Deposit of the Bank of Pennsylvania, at Harrisburg.

A. L. BEAUMONT,  
O. H. DIBBLE.

His Excellency, J. ANDW. SHULZE.

23. Secretary accepts 30,000 dolls.

24. Letter from President of Commercial Bank of Pennsylvania, dated Dec. 30, 1828, stating—"I am now instructed to say that on an investigation of the state of their funds, and of their relative situation with the other banks of the city, they find it would be impracticable, under existing circumstances, to make the required loan, which by being lodged in any other bank of the city, would operate to their prejudice, and oblige them to curtail the accommodation they are called upon to furnish to their customers; if, however, such inconvenience as I have suggested could be obviated by an arrangement of the treasurer of the state, with the cashier of this bank, to receive the amount of the loan in the small notes of this bank, of the denomination of 5, 10, and \$20, to be disbursed at the places where payments are called for in the country, as has been proposed by the cashier in a letter to the treasurer, which he was desired to shew to you, the board would agree to loan the sum of 40,000 dollars, the notes would be immediately furnished to the order of the treasurer. Should this plan not accord with the views of the governor, nor be approved of by him, will you please to inform me, whether a loan to date from the 1st of February, would answer, and if the situation of the bank, at that time, is such as to enable it to meet the demand, the board will agree to such a sum as they can spare without injury to the business of the institution."

25. Letter from Cashier of the same bank, January 5, 1829, offering 50,000 dolls. to be circulated on the lines of the canal.

26. Accepted by Secretary.

27. Letter from Westmoreland Bank, offering 20,000 dolls. on 1st February.

28. Secretary declines—believing the money will not be wanted at so late a period.

"Letters from H. Hollingsworth, cashier of the Bank of North America, dated 22d December; from J. Tagert, president of the Farmers' and Mechanics' Bank; Jacob Frick, cashier of the Bank of Penn Township; E. Chauncey, cashier of the Bank of Pennsylvania; Thomas Elder, president of the Harrisburg Bank, dated 24th December; from John L. Watson, cashier of the Bank of Germantown; D. Townsend, cashier of the Bank of Chester County; T. Fitch, cashier of the Mechanics' Bank; John Read, president Philadelphia Bank, dated 26th December; from Thomas Keen, cashier of the Kensington Bank, dated 27th December; and from J. S. Smith, cashier of the Southwark Bank, dated 29th December, were severally received, declining taking any part of the temporary loan, under act of 18th Dec.

From the remaining banks to which the circular of the 19th Dec. was addressed, no answers were received.

Secretary's Office, Harrisburg, }  
March 11th, 1829. }

SIR—By an act of the general assembly of the commonwealth of Pennsylvania, passed the 7th inst. a copy of which is enclosed, the governor is authorised, in case the lenders shall consent thereto, to pay the temporary loan authorised by act of 18th December last, out of the monies that shall be received from any loan hereafter authorised by law, for canal and rail road purposes, instead of paying the same out of the proceeds of the permanent loan authorised by act of 18th December last. I am instructed by the governor to inquire of you, whether the directors of the Bank of Pittsburg, will consent that the temporary loan made by that bank to the commonwealth, under the provisions of the act of 18th December last, shall be paid out of the proceeds of future loans, instead of being paid out of the proceeds of the

permanent loan, negotiated in pursuance of said act. In case the bank should accede to this arrangement, it is not contemplated that the payment shall be delayed beyond the 18th day of June next.

Very respectfully,

Your obed't servant,

JOHN McDONALD, Esq.

C. BLYTHE.

Pres't. of Bank of Pittsburg.

The above circular was addressed to the holders of the temporary loan, under the act of the general assembly of the 18th December, 1828.

1. Northampton Bank accedes to this arrangement.

2. Letter from Commercial Bank, March 17, 1829—"I am now authorised to suggest, if agreeable to the governor, that the loan of 50,000 dollars made by this bank, should be paid from the fund originally contemplated, (the proceeds of the permanent loan, under the act of 18th December last) at any time within thirty days, and that the board would immediately make a further temporary loan of 50,000 dollars, for six months, or any period within that time, on the same terms and conditions as the last, viz: the receiving of our notes & circulating them on the line of canal, which can be arranged between the treasurer and our cashier, as before at Harrisburg, the notes to be sent up at the risk of the bank. Should this plan be approved of, you will please communicate it to the treasurer, who will correspond with the cashier on the subject."

3. Secretary says—"I submitted your letter to the governor, he does not consider himself authorised by the act of the 7th March, inst. to negotiate a new loan—the act only authorises the changing the fund out of which the loan negotiated under the act of 18th December last, shall be paid, in case the lenders shall consent. He cannot therefore accede to the suggestion of the directors. Please inform me whether the directors will agree to change the fund out of which the loan shall be paid, without condition other than its payment on or before the 18th June next."

4. Letter from Commercial Bank in reply—"I communicated the contents of your letter to the board, at their meeting this morning, and am directed by them to express their ready acquiescence to the proposal of receiving payment of the loan of 50,000 dollars, made by this bank to the commonwealth, out of any other fund than that appropriated by the act of December last, without any condition other than its payment, on or before the 18th June next."

5. Letter from Schuylkill Bank, in which they "accede to the proposed arrangement by which the loan made by this bank to the commonwealth, under the act of the 18th Dec. last, shall be paid out of the proceeds of future loans, instead of being paid out of the proceeds of the permanent loan, negotiated in pursuance of said act, with the understanding that the payment shall not be delayed beyond the 18th of June next."

6 and 7. Letter from A. L. Beaumont and O. H. Dibble, agreeing, if a certificate for the amount, can be furnished. No answer from Secretary.

8. Bank of Pittsburg accedes to the arrangement.

9. Bank of Montgomery consents, "provided the same be paid out of the proceeds of the next loan for canal and rail road purposes, which shall be authorized by law."

10. Bank of Carlisle, "cannot consistently with the arrangements of their business, make any alteration in the terms"—therefore decline.

11. Farmers' Bank of Reading decline, as "they cannot see any advantage resulting to the institution by changing the terms."

12. Letter from Secretary in reply.

Secretary's Office,

Harrisburg, March 24th, 1829.

Sir—I received your letter of the 18th inst. informing that the directors of the Farmers' Bank of Reading, declined changing the fund out of which the temporary loan, made to the Commonwealth in January last, should be paid: Annexed are forms of receipts for the payment of the loan and interest; upon your transmitting



your receipt to me or any one of the commissioners of the internal improvement fund, a check will be forwarded to you on the Bank of Pennsylvania for the amount.—The interest will be counted from the day of deposit in the Bank of Pennsylvania, to the credit of the commonwealth.

Yours respectfully,  
C. BLYTHE.

BENNEVILLE KEIM, Esq.

*President of the Farmers' Bank of Reading.*

13. Letter from Farmers' Bank of Reading &c.

Your favor of the 24th inst. is before me, I regret that any thing should have occurred, to induce you to believe this Bank required the loan they made to the commonwealth ere the expiration of the stipulated period; on the contrary they request me to say, that they had rather the loan were extended to even a more distant date, than the one agreed upon by us, with the proviso, that the period of redemption be specified. I am confident that you have misconstrued my letter, if you suppose we had any intention to claim payment before the lapse of the term for which it was negotiated; our earnest endeavour is at all times to make such engagements, only, as can be kept in good faith, and as the loan to the commonwealth was a definite one in its arrangement as to the time of payment, it would not be our province, thus early to claim it. As a Bank, possessing a limited capital, we have ever been willing to throw in our mite for the public weal, and our motives are misunderstood, if any thing be inferred therefrom, inimical to the present enlightened measures of executive of the state of Pennsylvania.

14. Letter of Secretary.

*Harrisburg, April 1st, 1829.*

Dear Sir,—I received your letter of the 30th ult. in which you state that the directors of the Farmers' Bank of Reading, do not desire the payment of the loan of \$25,000 made to the state under the act of 18th December last, previous to the stipulated period. By the act of the 18th December last, authorising that loan, the money borrowed as a temporary loan, is directed to be paid out of the proceeds of the permanent loan of \$800,000 dollars, authorized by the same act. The last instalment of that permanent loan is paid into the state treasury to day, and out of it must be paid the temporary loan, unless those to whom the temporary loan is due, shall agree to receive payment out of future loans; agreeably to the provisions of the act of the 7th of March 1829, a copy of which I enclosed to you, when the directors of your Bank declined changing the fund out of which the temporary loan made by it, to the commonwealth should be paid; the commonwealth became chargeable with interest on the amount of your loan, whilst at least from the 1st of April, when the last instalment of the permanent loan of \$800,000 was paid into the treasury, it could no longer be used by the commonwealth, because the act of 18th December last, required the temporary loan to be paid out of the proceeds of that permanent loan. The money must remain unemployed, unless the Bank should agree to change the fund out of which it should be paid. That agreement would authorize the application of so much of the April instalment of the permanent loan of \$800,000 to canal purposes, as should be required to pay your Bank. I may possibly not have made the object of the government sufficiently known to you, when I wrote to inquire if your Bank would agree to a change of the fund out of which your loan should be paid. You will now perceive, without a consent on the part of the Bank, to receive payment out of future loans, instead of the permanent loan of last winter the money if not paid to the Bank, must agreeably to the act of 18th December, remain unemployed in the state treasury. Should the Bank be willing to consent to a change of the fund for the payment of the loan; it will be acceptable to the governor, and it is not contemplated in such case, to ex-

tend the period of payment, out of the proceeds of future loans, beyond the 18th of June next.

Very respectfully your ob't. servant,

C. BLYTHE.

Benneville Keim,  
President of the Farmers' Bank of Reading.

15. Letter of Mr. Keim,

*April 4th, 1829.*

CALVIN BLYTHE, Esq. *Secy. of State.*

Dear Sir—Your favor of first instant is to hand, and has been submitted to the board of directors of this institution, who request me respectfully, to advise their assent to a change of loan, as suggested in your letter.

With sentiments of regard,

I am, very respectfully, yours, &c.

BENNEVILLE KEIM, *Pres't.*

16. Letter of Secretary.

*Harrisburg, April 3d, 1829.*

Dear Sir—Below are forms of receipts, which you are requested to forward to one of the commissioners of the internal improvement fund. The amount of your loan and interest will be deposited to-morrow, in the Harrisburg Bank, agreeably to your direction, in your letter of —ult. Interest is counted from the day the money was placed to the credit of the commonwealth, until to-morrow, the 4th of April.

Very respectfully, your ob't. servant,

C. BLYTHE.

EDWARD CRAWFORD, Esq.

*Pres't of the Bank of Chambersburg.*

17. Letter from Secretary to Bank of Carlisle of same import.

18. Bank of Montgomery declines temporary loan—extends loan of \$25,000 to 28th June, in reply to a verbal application for postponement.

19. Letter of Secretary to Schuylkill Bank.

*Harrisburg, June 1st, 1825.*

WILLIAM MEREDITH, Esq.

*President of the Schuylkill Bank.*

Sir—Unavoidable circumstances, have prevented an earlier day than the 28th June inst. being fixed for the payment of the first instalment of the permanent loan, authorized by act of 22d April last. The ten thousand dollars loaned by the Schuylkill Bank to the commonwealth, under the provisions of the act of the 18th of December last, will be payable on the 18th of this month. The pressure on the banks, of this commonwealth, generally, for money, has rendered it difficult to obtain more money on temporary loan, than is necessary to continue the operations on the canal, until the permanent loan shall be realized. I am instructed by the governor, to inquire of you, whether the Schuylkill Bank will agree to postpone the payment of the ten thousand dollars, loaned to the commonwealth, under the provisions of the act of 18th December last, until the 28th of this month, or 10th July next, on which days the 1st and 2d instalments of the permanent loan of this year will be payable.

Very respectfully,

Your ob't. servant,

C. BLYTHE.

Letters of similar tenor and date, were addressed to Andrew Bayard, President of the Commercial Bank of Pennsylvania; J. Rice, Cashier of the Northampton Bank; John McDonald, President of the Pittsburg Bank; and to Messrs. Beaumont and Dibble.

20. Commercial Bank agrees to postpone till 28th June when "the receipt of that sum will be indispensable, having from various circumstances been subject to more than usual pressure for money at this time." June 5th 1829.

21. Letter from Schuylkill Bank June 6th.

"The pressure to which you allude, has become so general throughout the country, and especially in our cities, upon individuals, as well as corporations, that in the

postponement of the receipt of a considerable sum, and especially, when it has been counted on in reference to current operations of the Bank, so far as we are affected by temporary causes, in relation to the money market, considerable improvement is expected after the middle of next month, but until then, it will be at best stationary.

Under other circumstances, it would have afforded our directors, and myself personally, great pleasure to acquiesce in any arrangement, which the convenience of the financial department of the government might seem to require, or its officers propose.

22. Bank of Pittsburg agrees to postpone till 10th July.

23. Northampton Bank and Messrs. Beaumont and Dibble agree to postpone.

### TRIBUTE OF RESPECT.

At a meeting of the Bar of Philadelphia, in the Court Room of the Circuit Court of the United States, on Friday, the 27th Nov. 1829, WILLIAM RAWLE, Esq. was called to the Chair.

The object of the meeting being stated by the Chair, to render due honor to the memory of the excellent and venerated presiding magistrate of the Circuit Court, the Honorable BUSHROD WASHINGTON, who died at the Mansion House Hotel, in this city, on the 26th inst.

Mr. Dallas, the District Attorney, after offering a just tribute to the learning, virtues, and services, of this distinguished and lamented individual, by a notice of his professional and judicial life, offered the following resolutions, which were seconded and sustained in some impressive remarks, by Mr. Sergeant, and were unanimously adopted by the Bar, and ordered to be published in the newspapers of the City.

The Members of the Bar of Philadelphia, having heard that the Hon. BUSHROD WASHINGTON, a Justice of the Supreme Court of the United States, and the Judge of the Circuit Court of the United States for this District, died in this city yesterday afternoon:

*Resolved*, That this lamented occurrence leaves our country to deplore the loss of an able, experienced, and faithful functionary, and ourselves deeply to regret a wise and instructive guide, a brilliant ornament to our professional ranks, and a beloved companion in social intercourse.

*Resolved*, That in order to evince our sense of this public and private calamity, and as a tribute of respect to the memory of a man long and universally cherished and admired, the members of the Bar of Philadelphia will wear mourning on the left arm, for thirty days.

On motion of Mr. J. R. Ingersoll, it was ordered,

That a committee be appointed to express, to the family of JENEX WASHINGTON, the affection of this Bar, for his memory, and their deep regret for his loss; and that the same Committee be authorised to take order, in regard to such other measures as they may deem expedient, to convey these sentiments to the public.

WILLIAM RAWLE, Chairman.

HONACE BINNEY, Secretary.

The death of the Honourable BUSHROD WASHINGTON, one of the Judges of the Supreme Court of the United States, was on Thursday announced by the District Attorney, to the Court of Nisi Prius, holding by Judge Todd, and to the District Court of the city and county of Philadelphia, holding by Judge Hallowell. Both Courts adjourned immediately.

This truly eminent and justly venerated man died at the Mansion House Hotel, in this city, at about two o'clock on Thursday, (Nov. 26,) after an illness of somewhat less than two months. He arrived early in October, on his way to Trenton, to open the Circuit Court, and complained the morning following of being unwell. He nevertheless went to New Jersey, and discharged his public duties with accustomed energy and ability.—As soon as the business was disposed of, he hurried back

to Philadelphia, to avail himself of the medical advice of his favorite physician, Dr. Chapman. The disorder increased rapidly—and he seemed early impressed with the belief that he should not overcome it. The hope that he would be able to go through the duties of the recent session of the Circuit Court of the United States, was not entirely, however, abandoned, until a week of the time had elapsed. Since then he has been occasionally thought better—but was never able to quit his chamber, and his strength constantly diminished. For the last three days, no prospect of recovery remained to cheer his friends. His family fortunately reached here in time to console his concluding hours, and to give to the final departure from this world one of the important comforts of which it is susceptible.

Judge Washington was in the 71st year of his age.—He had studied the science which he afterwards adorned and exalted, in the office of James Wilson, Esq. the only other Judge of the Supreme Court of the United States yet furnished by Pennsylvania. After practising, with much reputation, but for nine years at the bar of Virginia, he was appointed in 1797, by President John Adams, to a vacant seat in the highest judicial tribunal of the nation. He has ever since been distinguished for his untiring devotion to his arduous and interesting duties—for great sagacity and learning—for firm integrity of purpose and unaffected simplicity of manners.—The profession of which he was a bright ornament, and the country for which he so long and so faithfully, and so usefully laboured, will deeply regret his loss, and never cease to remember him with admiration and gratitude.—*Am. Sentinel.*

### PORT OF PHILADELPHIA.

*Inward for November, 1829.*

| Where from.            | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|------------------------|--------|----------|--------|------------|---------|----------|
| England,               | 4      | 1        |        |            |         | 1903     |
| South America,         |        |          | 3      | 1          |         | 450      |
| Danish West Indies,    |        |          | 2      |            |         | 269      |
| British West Indies,   |        |          | 2      |            |         | 399      |
| British Am. Colonies,  |        |          | 2      | 2          |         | 546      |
| Hayti,                 |        |          | 1      |            |         | 156      |
| Cuba,                  | 1      |          | 9      | 3          |         | 2044     |
| Brazils,               |        |          | 1      |            |         | 173      |
| Hanse Towns,           | 1      |          |        |            |         | 244      |
| French Ports on Atlan. |        |          | 1      |            |         | 244      |
| Malaga,                |        |          | 1      |            |         | 214      |
| Africa,                |        |          | 1      |            |         | 192      |
|                        | 6      | 1        | 23     | 6          |         | 6836     |

Coastwise, Inward, 48 vessels, 4,139 tons.

*Outward for November, 1829.*

| Where to.             | Ships. | Barques. | Brigs. | Schooners. | Sloops. | Tonnage. |
|-----------------------|--------|----------|--------|------------|---------|----------|
| England,              | 2      | 1        |        |            |         | 1398     |
| South America,        |        |          | 4      | 1          |         | 733      |
| Danish West Indies,   | 1      |          | 2      |            |         | 615      |
| British Am. Colonies, |        |          | 1      | 2          |         | 351      |
| Cuba,                 |        |          | 6      | 4          |         | 1400     |
| Brazils,              |        |          | 1      |            |         | 178      |
| Holland,              | 2      |          |        |            |         | 617      |
| France on Atlantic,   |        | 1        |        |            |         | 299      |
| Gibraltar,            |        |          |        | 3          |         | 270      |
| From Mediterranean,   |        |          | 1      |            |         | 229      |
| Dutch West Indies,    |        |          | 1      |            |         | 175      |
| Africa,               |        |          |        | 1          |         | 74       |
|                       | 5      | 2        | 16     | 11         |         | 6219     |

Coastwise, outward, 88 vessels, 10,646 tons.

[*Aurora.*]

**DAMMING THE DELAWARE.**

Agreement entered into by the Commissioners on the part of Pennsylvania, with the commissioners appointed for that purpose by the State of New Jersey, respecting the waters of the Delaware.

The undersigned, commissioners for effecting an agreement between the States of Pennsylvania and New Jersey, for the mutual use of the waters of the Delaware, and for other purposes, agree that the following positions in relation to the subject shall form the basis of a compact between the states.

The state of Pennsylvania shall be at liberty to erect a dam at Thornton's rift, not exceeding ten feet in height, with a sloping apron for the passage of arks, rafts and other descending floats and crafts, not less than 60 feet in width, three feet in depth, and in length at the rate of 90 feet for every 4 feet perpendicular measurement, at which said dam the state shall be at liberty to erect a feeder, not exceeding 40 feet wide at the water line, 25 feet at the bottom, and 5 feet deep.

Either state shall be at liberty to erect a dam below the Milford bridge, at the point designated by the engineers, near the house of William Brink, Esq. from which a feeder may be taken, not exceeding in dimensions the feeder at Thornton's rift.

Whenever the state of Pennsylvania shall construct a canal along the river Delaware, opposite Belvidere, locks shall be constructed at or near some convenient point, opposite, or nearly opposite that place.

The state of Pennsylvania shall also construct locks from the canal into the river at some convenient point at or near Finesville. And the state of New Jersey, whenever the feeder of the Delaware and Raritan canal shall be constructed, shall form a navigable communication and lock down into the pool at some convenient point no less than 300 yards above Wells falls.

Either state shall be at liberty to erect a dam not exceeding 4 feet in height, at the head of the Foul rift, for the purpose of feeding canals and creating water powers.

Either state shall be at liberty to erect a dam at the head of Phillipsburg rapids, not exceeding 4 feet in height for the purpose of creating a pool & creating water power.

The state of New Jersey shall be at liberty to erect a dam at the head of Warford's falls, not exceeding 4 feet in height, from which said dam the said state shall be at liberty to construct a feeder not exceeding the dimensions of the feeder at Thornton's rift.

The state of Pennsylvania shall be at liberty to erect a dam at the head of Wells' Falls, not exceeding 4½ feet in height, from which said dam the said state shall be at liberty to construct a feeder, not to exceed the feeder at Thornton's rift.

Either state shall be at liberty to erect a dam at the head of Scudder's falls, not exceeding 4 feet in height above common low water mark, for the purpose of feeding a canal or creating water power.

Either shall be at liberty to improve the navigation of the river Delaware below the Falls at Trenton, in such way as to create no obstruction to the present natural navigation, or to the passage of fish, and making compensation to the citizens of either state who may be injured thereby. Provided, that the navigation of the said river when so improved, shall be forever free, and subject to no tolls or charges of any name or denomination whatsoever.

[This is reserved for future discussion.]

Upon the erection of any of the dams before mentioned, by one of the states, the other state shall be at liberty to draw from the said dam a quantity of water equal to that of the state erecting such dam, for supplying a canal or creating water power, upon first paying half of the amount of the damages, if any, paid by such state for the injury done to private property in erecting such dams.

The quantity of water taken from any dam, the erection of which shall be hereafter provided for, shall not

exceed the quantity herein agreed to be taken by the state of Pennsylvania at Thornton's rift; and such water may be applied either for supplying canals, or for water power, or for both. Provided, that water used for water power shall not be applied to that purpose at a greater distance than two miles from the dam which it shall be drawn, measuring by the line by which it shall be conveyed, excepting at Scudder's Falls, where it may be applied at a greater distance. Provided also, that no canal constructed by either state shall be supplied with water from the river Delaware by more than one feeder, excepting, where a canal is fed from the said river, and the water is discharged into it again, in which case the same quantity may be taken for the same purposes at any of the dams herein provided to be erected, and provided further, that the water drawn from the Delaware by either state, shall never exceed one-fourth part of the water at the time flowing within the banks of the said river.

Whenever by this agreement a state is authorized to erect a dam, such state shall be at liberty to enter upon the territory of the other, for the purpose of erecting and keeping in repair such dam.

Each and every dam constructed by either state below Milford, Pa. shall have an opening on the apron, at least 2½ feet deep, with raised sides, substantially constructed, not less than 3 feet high, and extending the whole length of the apron—and in each of the said dams shall be constructed a lift lock of sufficient dimensions for the passage of such crafts as may ascend the natural channel, the state erecting such dam, and keeping the opening, and apron, and lock therein, in complete repair, and shall provide persons to attend such lock.

The question relative to the connection between the Pennsylvania canal and the pool formed at Warford, and the Pennsylvania canal and the Raritan canal at the head of Trenton Falls, by dam or aqueduct, and the increased size of the Pennsylvania canal below that point, as well as the particular construction of the dams upon the Delaware for the preservation of the fish, and are postponed for future deliberate decision.

This instrument shall be of no binding force upon either state, unless matured into an agreement, executed in due form by a majority of the commissioners from each state, and provided satisfactory to each party for the advancement of the matter contained in the preceding article, on or before the first day of April next.

**BIOGRAPHICAL MEMOIR OF****MAJOR GENERAL ANTHONY WAYNE.**

[From the Casket.]

(Continued from page 349.)

As the immediately preceding letter to the Governor of Pennsylvania, and the correspondence which follows between General Wayne, the Governor and others, will fully develop, the causes which produced the memorable revolt of the Pennsylvania line, on the 1st of January, 1718; it is hoped that they will be perused with interest, and that the reader will be gratified by thus acquiring a knowledge of the exertions used by the President of Pennsylvania and the commander of her troops, (General Wayne,) in guarding against an occurrence which threatened such disastrous results to the glorious cause which those two valuable officers laboured, in their respective spheres of action, with so much zeal and indefatigable industry.

In order that no embarrassment may be created with reference to the correspondence on this occasion, that between General Wayne, President Reed and others, will first be given; and after this, that between Generals Washington and Wayne, closing with the catastrophe.

Camp Totoway, 17th October, 1780.

Dear Sir,—In my letter of the 26th July, I informed you that I had it in command from his Excellency General Washington; to ask for as much red cloth as would be sufficient to face the uniforms of the troops belonging

to this state; that the clothing which had arrived was all blue; faced with white, &c. &c.

I am extremely sorry to be necessitated to contradict the account of the arrival of the clothing. I have it again in command from the General to acquaint you and the Honorable Council, that the intelligence he has just received is, that through the culpable neglect of our agents in France, not more than thirteen hundred coats have been yet sent on, although, by certain intelligence, there were not less than ten thousand suits laying ready, long before the sailing of the first division for America.

It is said that they will yet be sent by Captain Paul Jones, in the *Arctik*; should that be the case, his arrival may be prevented by the intervention of a superior force; and the chances are so much against him, that I see nothing but the most gloomy prospects with respect to this essential article.

I am therefore induced to call upon the Honorable Council to adopt some mode to procure a fresh supply of blankets and winter clothing, for the officers and privates belonging to the state of Pennsylvania. The weather begins to pinch—hard necessity obliges us to be economists—our soldiers' uniforms are much worn and out of repair—we have adopted the idea of curtailing the coats, to repair the elbows and other defective parts, for which we shall immediately want needles and thread; will your Excellency be so obliging as to direct them to be procured and sent to camp, with the other stores, with all possible despatch; and to appoint Lieutenant Dungan, of the sixth Pennsylvania regiment, in place of the gentleman lately dismissed the service, by the sentence of a general court martial.

I wish I could with truth inform you, that our prospects were altering for the better: but that not being the case, I must earnestly request a careful perusal of my letter of the 17th ultimo, and a due attention to such parts as may in your opinion merit it—among others that of sending us a supply of hard cash, for the purpose of paying the recruits we have already enlisted on this ground, and as much more as you can conveniently afford. I believe the number is somewhere between thirty and forty, and more enlisting every day.

I have just received the inclosed from the Marquis Lafayette. I would advise you to look to your own bay and river; but from circumstances, I am rather of opinion the *Chesapeake* will be their point of operation; they have certainly sailed; and it is also said that the *Cork* fleet arrived the day before yesterday.

I have the honour to be, with singular esteem, your excellency's most obedient, and very humble, servant,  
ANTHONY WAYNE.

N. B. Is there not some design in incumbering Pennsylvania with a regiment of artificers, &c. &c., and reducing your operating army to six regiments? *Connecticut* is not entitled to it, but will be as powerful in the field as Pennsylvania. Why should not they have a proportion of artificers, &c., and you eight regiments of infantry? I don't like appearances.

Camp at Totaway, 25th Oct. 1780.

Dear Sir,—I did myself the honour to address you on the 17th instant, and took the liberty to ask for a quantity of thread and needles, to be forwarded by Mr. Little, but as he came away without them, I must beg leave to reiterate my request, and desire that they may be sent on with all possible despatch, as every day adds to our distress and renders an immediate supply of these articles indispensably necessary.

I believe that no army before this was ever put to such shifts in order to have even the appearance of uniformity. When the charge of the Pennsylvania division devolved on me, after the removal of General St. Clair to the command of the left wing, I thought of an expedient of reducing the heterogeneity of new, old cocked and slouched hats, and pieces of hats, to infantry caps; in which we succeeded very well, by making 3 decent caps out of one tolerable and two very ordinary hats: to which we added, as an embellishment, a white plume and a

comb, surmounted with flowing, red horse hair. We shall now try the experiment of making three short coats out of three old, tattered long ones. I must acknowledge that they would suit much better for the spring than fall, but without something done in this way, we shall be naked in the course of two or three weeks; nor will even this expedient answer longer than Christmas. For God's sake use every possible means to procure clothing, for both officers, and men, by that time at farthest.

I must again request you to forward a quantity of hard cash, for the purpose of recruiting. If we had it at this period we could enlist a considerable number of the new levies, who are much preferable to any which Colonel Nichols sends us; nor should we be imposed on by deserters. I have already mentioned my ideas on this subject, in my letter of the 17th ult.

Captain Finny, the bearer of this, waits on your Excellency in behalf of the Captains and subalterns of the line. I am confident that every reasonable requisition will be attended to, and I believe that the gentleman will make no other. I could not deny the indulgence of permitting one of their body to attend the Honourable Council. It is not a time to tamper with their feelings.

You will have the goodness to pardon this freedom, and believe me, with much esteem, your Excellency's most obedient servant.  
ANTHONY WAYNE.

JOSEPH REED, Esq.

(To be Continued.)

The examination and survey of the Codorus was completed, on Wednesday evening last, by Mr. Guilford and his assistants Messrs. Sanford, Wright and McCutchen. The fall was ascertained to be 108 feet, and the distance ten miles and three quarters. A detailed report from the engineer, may be expected shortly.—*York Recorder*.

### METEOROLOGICAL REGISTER.

Taken at the State Capitol, Harrisburg, by WILLIAM MCSGRAVE, Librarian.  
OCTOBER—1829.

| Thermometer.                                    | Barometer.     | Days of the Month      | Wind |
|---|----------------|------------------------|------|
| Max 25th 65° 2.3                                | Max 22d 30.23  | 1, 4, 5, 20, 21, 26,   | 6 NW |
| Min 22d 41°                                     | Min 19th 29.40 | 2, 6, 7,               | 3 W  |
| Diff. ex. 24° 2.3                               | Diff. ex. .83  | 3,                     | 1 SW |
| Mean ex 53° 1.3                                 | Mean ex 29.61  | 22, 31 [23, 24, 30]    | 2 NE |
|   |                | 8, 9 14 15 16, 17, 18  | 10 E |
|   |                | 10, 11, 29,            | 3 SE |
| Mean temperature from three daily observations. |                | 12, 13, 28,            | 3 N  |
|   |                | 19, 25, 27,            | 3 S  |
| Days of the Month.                              |                | Weather.               |      |
| 1 2 5 6 13 14 15 21 27                          |                | 9 days clear.          |      |
| 3 18  |                | 2 part clear p cloudy. |      |
| 4 10 12 16 17 20 22 25 28 29                    |                | 10 pt cloudy pt clear. |      |
| 7 23 24 30                                      |                | 4 cloudy no rain.      |      |
| 8 26  |                | 2 pt clear pt rain.    |      |
| 9   |                | 1 pt foggy pt clear.   |      |
| 11 19 21  |                | 3 heavy rain.          |      |

On the morning of the 22d Thermometer at 31°—the lowest. At noon of the 17th, Thermometer at 68°, the highest in the month. Range 37°.

On the 23d the Barometer in the morning stood at 30.25 the highest. On the 20th the Barometer in the morning stood at 29.48 the lowest in the month—Range 00.77. Difference of temperature between the mornings and noons from 3 to 10°. The wind has been 15 day of this month East of the Meridian, 10 days West of it, 3 days North and 3 days South.

This month has been 1½ warmer than October 1828, and 13° colder than last September. There was frost on the 2, 13, 14, and 22d with ice the first this fall in this place. The heaviest rains were on the 11, 19, and 31st. Nothing remarkable during the month.

## NOVEMBER—1829.

| Thermometer.                                    | Barometer.         | Ds. of the Mo. | Wind.                 |
|---|--------------------|----------------|-----------------------|
| Max 2d 50° $\frac{1}{2}$                        | Max 28th 29.69 2.3 | 1              | 1 Eo W                |
| Min 24th 31                                     | Min 7th 28.85      | 2 3 4 5        | 4 t W                 |
| Diff ex. 19 $\frac{1}{2}$                       | Diff ex. .84 2.3   | 6 7 26 29 30   | 5 E                   |
| Mean ex. 40 $\frac{1}{2}$                       | Mean ex 29.27      | 23 24 27 28    | 4 N W                 |
| Mean temperature from three daily observations. |                    | 25             | 1 S E                 |
| Days of the Month.                              |                    | Weather.       |                       |
| 1   |                    | 1              | part rain part clear. |
| 2 4 5 25 27                                     |                    | 5              | pt clear pt cloudy.   |
| 3 6 29  |                    | 3              | cloudy all day.       |
| 7 30  |                    | 2              | heavy rain all day.   |
| 23 24 28  |                    | 3              | clear and windy.      |
| 26  |                    | 1              | snow.                 |

On the morning of the 24th Thermometer at 27° the lowest; at noon of the 2d Thermometer at 55° the highest—Range in the month 28°. On the morning of the 28th Barometer at 29.73; at noon of the 7th. Barometer at 28.85 the lowest in the month—Range 00.88. The difference of temperature between the mornings and noons from 5 to 15°. The wind has been 6 days East of the Meridian, 8 days West of it, and 1 day from East to West. There was continued heavy rain on the 7th and 30th.

This month was 13° colder than last October, and 9° warmer than November 1828. There fell, on the 26th a wet snow, but as the ground was not frozen, and the Thermometer between 30 and 40°, it melted as it fell. From the 7th until the 23d no observations have been taken.

W. MUSGRAVE.

MUNCY, (Penn.) Nov. 4, 1829.

*Extraordinary Adventure, or Putnam matched.*—On Friday evening last, as several young men of his neighbourhood, amongst whom were the Messrs. Snyder and Fogleman, were returning from a *grubbing frolic*, their attention was attracted by the barking of a small dog in the woods a short distance from the road. They immediately went to where the dog was barking, and found that he had something "*up a tree*." And, being curious to know what the dog was barking at, one of them, a young Snyder, without much hesitation, attempted to climb up, when, coming within a few feet of the object he was induced to retreat by the growl that proceeded from the animal. It being dark, they could not distinguish the size or nature of the beast, but supposed from its growl that it was too formidable to grapple with in close contact. They then kindled a fire, by the light of which they discovered that it was a large *Bear*.—Having no fire arms to dislodge the gentleman, they determined that one of them should ascend the tree.—Accordingly Mr. Snyder again went up, and coming into close quarters with Bruin, he forced him to come down and make off, but being closely pursued by the rest of the boys, he took up another tree.

Recourse was now had to stratagem. A rope was procured, on which a noose was made, and the same young man again ascended the tree—when, on coming in the neighbourhood of Bruin, he was not disposed to be trifled with, and made battle, by striking at Snyder with his paws, gnashing his teeth and growling most horribly. Snyder, however, watched for a favourable opportunity, and very dexterously threw the noose around his neck, and cried to his comrades below to "pull." They did so, and down came the bear and his antagonist together, topsottery. At first he was disposed to be somewhat turbulent, but by proper chastisement he was sufficiently civilized to be led in triumph to the house of the Messrs. Snyders, where he remains in snug winter quarters.—*Lycoming Gazette*.

## Communicated for the "Register."

MR. HAZARD—If you should think the following extract of a journal of the weather, kept in this city, for the years 1796 to 1818, inclusive, of sufficient importance for publication, it is at your service. In it is noted those days during the above period in which a well regulated Thermometer of Fahrenheit, facing the north, and exposed neither to the sun nor reflection, and constantly hanging in the same situation—has been at and above 90 degrees. If any of your correspondents would give you for publication a similar statement for the last 11 years it would be gratifying to A READER.

|                          |                           |                           |
|--------------------------|---------------------------|---------------------------|
| 1796.                    | 29, 91 $\frac{1}{2}$      | No day up to 90.          |
| July 6, 90 $\frac{1}{2}$ | 30, 90                    | 1808.                     |
| 7, 90                    | July 2, 92                | June 29, 90               |
| 8, 92                    | 3, 92                     | 30, 92                    |
| 12, 90                   | 16, 92 $\frac{1}{2}$      | July 1, 93                |
| 1797.                    | Sept. 4, 90               | 2, 94                     |
| June 17, 90              | 8, 90                     | 3, 90                     |
| July 2, 91               | 9, 91                     | 1809.                     |
| 3, 90                    | 1802.                     | No day up to 90.          |
| 14, 92                   | June 13, 92               | 1810.                     |
| 15, 91 $\frac{1}{2}$     | July 22, 91               | No day up to 90.          |
| 20, 91                   | 23, 92                    | 1811.                     |
| 21, 92                   | Aug. 12, 90               | June 22, 91               |
| 1798.                    | 24, 92                    | 23, 93                    |
| June 24, 91              | 25, 95                    | July 3, 93                |
| July 1, 90 $\frac{1}{2}$ | 26, 92                    | 4, 95 $\frac{1}{2}$       |
| 2, 96 $\frac{1}{2}$      | 27, 92                    | 5, 96 $\frac{1}{2}$       |
| 3, 96 $\frac{1}{2}$      | Sept. 14, 91              | 6, 97 $\frac{1}{2}$       |
| 27, 92                   | 15, 91                    | 7, 91                     |
| 28, 95                   | 1803.                     | 9, 92                     |
| 29, 94                   | June 24, 90               | 31, 90                    |
| Aug. 8, 90 $\frac{1}{2}$ | 25, 91                    | Aug. 20, 90               |
| 9, 94                    | 26, 90                    | 1812.                     |
| 10, 94                   | July 1, 90                | June 2, 90                |
| 11, 91 $\frac{1}{2}$     | 2, 90                     | 8, 90                     |
| 18, 92                   | 9, 90                     | July 6, 91                |
| 1799.                    | 10, 91                    | 7, 92                     |
| June 13, 90              | 13, 93                    | 1813.                     |
| 18, 94                   | 14, 94                    | June 18, 91               |
| 23, 92                   | 15, 92                    | 28, 90                    |
| 24, 95                   | 24, 92                    | July 4, 90                |
| 26, 92                   | 1804.                     | 8, 93                     |
| July 5, 90               | July 7, 90                | 9, 92                     |
| 15, 90                   | 8, 90                     | 1814.                     |
| 26, 90 $\frac{1}{2}$     | 9, 91                     | July 6, 90                |
| 30, 93                   | Sept. 3, 90               | 17, 90                    |
| 31, 93                   | 1805.                     | Aug. 16, 90               |
| Aug. 1, 91               | July 6, 93                | 1815.                     |
| 1800.                    | 7, 90                     | June 20, 90               |
| July 6, 90               | 8, 93 $\frac{1}{2}$       | July 23, 90               |
| 7, 93                    | 9, 93 $\frac{1}{2}$       | 24, 92                    |
| 8, 91                    | 12, 90                    | 25, 92 $\frac{1}{2}$      |
| 9, 93                    | 13, 91 $\frac{1}{2}$      | Aug. 1, 91                |
| 10, 92                   | 16, 90 $\frac{1}{2}$      | 1816.                     |
| 11, 93                   | 17, 91 $\frac{1}{2}$      | June 24, 91               |
| 13, 90                   | Aug. 13, 91 $\frac{1}{2}$ | 1817.                     |
| 20, 92                   | 22, 91                    | No day up to 90.          |
| 25, 90                   | 23, 91                    | 1818.                     |
| 27, 90                   | 26, 90                    | June 28, 91               |
| 30, 90                   | 1806.                     | 29, 92                    |
| 31, 92                   | June 23, 90               | 30, 94                    |
| Aug. 1, 92               | 24, 92                    | July 11, 92 $\frac{1}{2}$ |
| 1801.                    | 25, 92                    | 12, 97                    |
| June 28, 92              | 1807.                     | 13, 93 $\frac{1}{2}$      |

We comply with pleasure with the request of our correspondent—and hope some one will pursue the inquiry as he suggests. EDITOR.

## THE NEWBOLD ESTATE.

Being last week on a visit to Chester, with a friend, and having heard much of the grand Newbold-estate, purchased a year ago by an enterprising gentleman of Chester County, we concluded to take a look at it. The farm is situated about two miles from Chester, on the

mail road to Philadelphia. On arriving at the house and taking a view of the place from that elevated point, I was no longer surprised that it had been so highly praised. The house is on a handsome rise of ground, commanding a prospect of the largest part of the estate.—Standing facing the south-east, a gentle slope leads to the embanked meadows, and these extend to the Delaware river, which constitutes its south-eastern boundary. The distance from the house to the river is about a mile. On the left runs Darby Creek—on the right Crum Creek; and these streams form the north-eastern and south-western boundaries. Thus is the plantation bounded on three sides by deep water, separating it by these natural divisions, from the adjoining farms; leaving it one great, independent whole, presenting an estate in the highest degree beautiful, as it is rich and productive. Near an hundred and fifty head of cattle were grazing in the meadows, spotting them with life—here and there were seen handsome clumps of trees—the Delaware for several miles presented its silver surface decked and animated by an hundred white sails, and the scene variegated by the swift-wheeled steam boats. It was in vain to say—"thou shalt not covet;" we could not help thinking—if it be so pleasant now, what must be the prospect in charming spring and summer? It is a princely estate; such as Bonaparte might be proud to own, to decorate and enjoy.

Our impression had been, that the embanked meadows were always wet and sometimes miry. So far otherwise, the bank presents for more than a mile in extent, a perfect barrier to the water, and a large portion of it, faced with a firm stone wall, leaving the meadow dry as our upland. The pasturage is extremely rich and fattening. Cattle that feed there, do not need to be salted, and improve rapidly. So warm and productive are those meadows along the Delaware, that cattle live well upon them in mild seasons, with a short intermission, throughout the year. This accounts for the high value set upon them. We learn that at several sales of embanked meadows within the 3 or 4 last years, some had been sold for 150 dollars, and from that to 180 dollars an acre; nor do we see why they should not, for well they might, as they never need manure, and in pasturage or or hay, yield a clear profit of 12 dolls. an acre; the interest of 200 dolls. at 6 per cent. and a safe investment.

The stone quarries could not fail to attract our attention, for the workmen keep up a constant cannonade in getting out stone for building in the City, and for the Breakwater.

The quarries on this place have the advantage of being near the river, lying on the margin of Crum Creek where it is navigable, and the stone is firm and remarkably excellent for building. Having seen much of coal mines and been familiar with calculations of the quantity of coal, in a given space, we could not help making a rough estimate of the quantity and value of stone in an acre. 2500 cwt. we believe is received at the Breakwater as a perch. How many perch would then be in an acre, working a breast of 30 feet? Suppose we say 40,000—Allow these to be worth 60 cents per perch on Crum Creek bank, and some of them, we understood, would bring a dollar! What would it cost a perch to quarry them? What would be the profit on each perch? What for the acre? To us it would seem that stone quarries along the Delaware, are more valuable than the gold mines of Carolina—the salt springs at Salina—or the lead mines at Galena. The last year, we understand, the contracts for furnishing stone for the Breakwater were taken by persons on the North River. Considering the millions that have been expended at New York, and the very small sums in the Delaware, we cannot help thinking that the citizens in Delaware Bay ought to have the preference in forming contracts for furnishing stone for that work. If after making an offer, a speculator from New York come and offer a cent or two less per perch, we should think those who offer on the Delaware should have the opportunity to

take the contracts at the price which Government is willing to give. This will now doubtless be the case, more especially if it be true, as we are told that the North River contractors have not furnished half the stone they were bound to deliver. If the Breakwater should demand for ten years to come, 150,000 perches a year,\* as it probably will, we should suppose to men of moderate capital and great enterprise, these would be mines of wealth.—*Village Record.*

\*Suppose 150,000 perch be required the next year, Admit at three of the principal quarries each owner agrees to supply 25,000 perch—that is 100 perch a day, or 600 a week, for 40 weeks. This would be a heavy business.

Allow at six other quarries, the owners agree to furnish 12,500 perch each, or 300 a week, for 40 weeks. This would make business lively along the Delaware. We believe the price of the last contracts was 2,20 a perch at the Breakwater.

#### WESTMORELAND BANK.

State of the Westmoreland Bank of Pennsylvania, on the 3d day of November, 1829.

|                                      |               |
|--------------------------------------|---------------|
| CR.                                  |               |
| Notes discounted.                    | 204,430 79    |
| Real estate                          | 28,500 75     |
| Cash on hand                         | 660 41        |
| Due by the Bank of the United States | 7,420 86      |
| Bank of Chester county               | 58 83         |
|                                      | <hr/>         |
|                                      | \$ 241,071 64 |
| DR.                                  |               |
| Stock                                | 107,033 00    |
| Bank notes in circulation            | 83,574 00     |
| Profit and loss                      | 2,994 89      |
| Discounts received                   | 2,524 00      |
| Dividends unpaid                     | 436 00        |
| Due to the Harrisburg Bank           | 1,597 48      |
| Bank of Chambersburg                 | 776 89        |
| Bank of Pennsylvania                 | 1,356 37      |
| Schuylkill Bank                      | 1,663 46      |
| Monongahela Bank of                  |               |
| Brownsville                          | 580 00        |
| Bank of Pittsburg                    | 30,690 00     |
| Money of Depositors                  | 7,845 55      |
|                                      | <hr/>         |
|                                      | \$ 241,071 64 |

The following, among other resolutions, was adopted:—

*Resolved*, That the result of the investigation this day made, was satisfactory to the persons present as to the ability of the Bank finally to adjust all claims against it, and that the exhibit made be published in the newspapers.

#### Historical Society of Pennsylvania.

A Quarterly Meeting of the Historical Society of Pennsylvania, will be held on Monday evening, 7th inst. at half past 6 o'clock, in the Philosophical Hall over the Athenaeum.

J. R. TYSON,  
Secretary.

Owing to sickness in the Editor's family he has been unable to bestow the usual attention to correcting the errors of the press.

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 24.

PHILADELPHIA, DEC. 12, 1829.

NO. 102.

For the following interesting sketch of the history of the German Lutheran Congregation, we are indebted to one of its members.

## GERMAN LUTHERAN CONGREGATION, OF PHILADELPHIA.

About the year 1680, the Germans commenced emigrating to America; and among other inducements, that of enjoying, unmolested, their religious opinions, was a principal one.

In the first period, from 1680 to 1708, numbers arrived from the Low Countries, who appear to have been influenced by one Henry Fry; many of the descendants of these early settlers, were living in 1754.

In the second period, from 1708 to 1720, when the large emigration from the Palatine to England took place, a great number of them (in the reign of Queen Anne) were sent to the Province of New York; and from thence came to Pennsylvania. They had been supplied with religious books by the Chaplain of the Court of St. James, A. W. Bochmens. There came also many who had separated themselves, in Germany, from the Lutheran Church. Towards the latter end of this period, many from the northern parts of Germany made their appearance here, of almost every description, such as Separatists, Dunkers, Menonists, &c. &c.

In the third period, from 1720 to 1730, the number of German Protestant emigrants, that came to Pennsylvania was very great, principally from Württemberg and Darmstadt, and some from the Province of New York. Many settled in the interior—they were not in a condition to build churches and schools, or provide places to build such on, at a future time. In this period there arrived several German Lutheran Ministers, who had either accompanied the German settlers, or came of their own accord—among them was Hinkel, Falkner, Stoever, &c. some few only were an honour to the Lutheran Church. The German Lutherans of New York and New Jersey, found themselves for some time, situated like those of Pennsylvania, but afterwards obtained several Ministers from Holland and Hamburg, as Kachendahler, Falkner, Breckenmeyer, Kroll, Wolf, and Hartwich, and obtained from the same places aid to erect churches and schools. Disunion among these Ministers, prevented their giving their German Lutheran friends in Pennsylvania, that assistance they so much needed. Towards the end of this period a large number of German Lutherans arrived, among these were some Students of dubious characters; these at first performed the duties of schoolmasters; afterwards on Sundays, read sermons, and at length thinking themselves competent, undertook to act as Ministers, administering the sacrament, &c.

A large body of Separatists arrived from Germany, and did all in their power to injure the German Lutheran Church in America. There were no churches or school-houses, a few huts excepted, that were called such, and which were in a decayed state.

The following period, from 1730 to 1742, was almost like the last. Many of the Lutherans who would have nothing to do with the worthless schoolmasters, applied to the Swedish Lutheran Synod, for the aid of their Ministers, and which was cheerfully granted—this help, however, on account of the language, and the distance the Germans lived from each other, was very insuffi-

cient. The disorder in the Congregation, became every day more alarming. The conduct of the schoolmasters, who then performed the duties of Ministers, became so notoriously bad, that the Lutherans were sneered at, by all the other denominations.

Towards the end of this period came the Count of Zinzendorf; and as *history*\* records it, held a Synod here, under an *assumed* name, and wished to be acknowledged Inspector of the German Lutheran Congregation in Pennsylvania, and Minister of Philadelphia.

The better and regular members of the Lutheran Church, felt the deplorable situation, in which they had so long been placed, and taking into serious consideration how they could extricate themselves and their brethren out of this dilemma, came to the conclusion to seek for relief in Germany, and resolved to send Deputies to England and Germany.

Accordingly a Deputation was sent to England and Germany, for the purpose of making known their wants, of not only proper and regular Ministers, but also of churches and schools. The Lutheran Congregations of Philadelphia, New Hanover, and Providence, interested themselves particularly for that purpose; they instructed their deputies to apply first, to the Rev. F. M. Ziegenhagen, the King of England's Chaplain, who not only promised them his aid and assistance, but gave them letters to several Divines in Germany. Among the deputies Daniel Weissinger was the most conspicuous—an intelligent man, and a good German scholar; he published in Hildesheim, in 1734, an account of North America, and at the same time, the letters of Mr. Ziegenhagen on the state of the Lutherans in America, the whole was afterwards republished at Leipzig. Mr. Ziegenhagen had particularly written to Dr. Franken, Director of the University of Halle, who from that time made every exertion in his power, to discover and find a suitable minister for the German Lutheran Congregation of Pennsylvania: and it may here be remarked, that through the exertions of Professor Franken, and that of his successors, the German Lutheran Church of North America has been supplied with men, who as pious ministers, were surpassed by none; and as men of learning and science, ranked high, here and in their native country; several of them have been Professors in the highest Seminaries here, and in New York. A regular correspondence continued between them and the Professors of the University of Halle, until the death of the last of the twelve ordained ministers, they had sent out to North America.

Through the exertion of Dr. Franken, Mr. Henry Melchior Muehlenberg, was prevailed on to go, as Minister to America. He was born in Eimbeck, in Hanover, and arrived in Philadelphia the 25th November, 1742.—On his arrival, he was told that no German Lutheran Congregation existed in Philadelphia—he then rode to New Hanover, and the 28th Nov. 1742, preached for the first time in Pennsylvania; the 5th of December following, he preached the first time, in Philadelphia, in the morning in the frame house, [which stood in Mulberry near Fifth st. and which had been rented by the German Lutheran and the German Reformed Congregations, for this purpose, and was occupied by them alter-

\*See "Pennsilvanische Nachrichten."



nately, on Sundays,] and in the afternoon in the Swedes' Church.

Mr. Muehlenberg found some difficulties before he could enter upon the duties of his office. The Congregation had at that time for their Minister, a man named Valentine Kraft, a dismissed and disowned clergyman of Germany, who had been appointed, because of the delay of the expected Minister from Germany. Count Zinzendorf did all in his power to prevent Mr. Muehlenberg, obtaining the consent of the Trustees, to preach in the Swedes Church. Consent having been obtained, the German Lutherans held divine service there for some time after, occasionally using their frame meeting house. The Congregation now acknowledged Mr. Muehlenberg their Pastor; and Count Zinzendorf was requested by the civil authority, to deliver up the Church Books to the Congregation. The Count left Philadelphia, 1st January 1743; after his departure, his adherents tried in vain, to prevent the Congregation receiving Mr. Muehlenberg as their minister. Mr. Muehlenberg was now engaged in performing the duties of the three congregations of Philadelphia, New Hanover, and Providence, (the latter two about 36 miles from the city); he had arranged it so, that he resided at each place one week; on week days, he instructed the children in the schools. The Congregation at Germantown also applied to him for his services, and he agreed to hold divine service there, on a week day, of his term in Philadelphia. He found a German Lutheran Church in Germantown—it then consisted of the front part of the church, (which was enlarged in 1746 by adding a building in the rear, something more in breadth than the old part of the church,) which many of us may recollect by its antique appearance, and a belfry containing 2 bells. This venerable building, was most probably the first German Lutheran Church, erected of durable materials, in Pennsylvania, it was a few years ago destroyed and razed to the foundation, to make room for one of our new fashioned churches.

Of the three first mentioned congregations, that of New Hanover was the largest, it consisted of 120, that of Philadelphia of 100, & the Providence congregation of 50 heads of families. In New Hanover there was a block Church, in an unfinished state; in Providence, divine service was held in a Barn; in Philadelphia as before stated, divine service was held in the frame house, and in the Swedes church—this privilege was to continue only until a Minister of their own, who was expected, should arrive from Sweden.

The Congregation therefore saw the necessity of providing a church for themselves and their children. The Trustees, or Elders as they were called, were at this time J. V. Unstadt, L. Bast, J. H. Keppeler, J. G. Burghard, J. D. Seckel, H. Miller, L. Herrman, the 8th had left the congregation. It was now arranged that Pastor Muehlenberg should serve the three congregations 4 months in the year, at one time.

In 1743, the lot of ground, corner of Fifth and Cherry streets, and Appletree alley, on which St. Michael's Church stands, was purchased for about £200 currency; on the 5th April, same year, the foundation stone of the Church was laid, and on the 20th October following divine service was held therein, the windows had no lights, and the floor was not laid; light was admitted between the boards with which the windows were closed, boards placed on blocks, were the seats of the hearers.

The Church is 70 feet in length, 45 feet wide, and 36 feet high—it had, when erected, a steeple at the west end, about 50 feet high, from the top of the roof.

The members were far from being wealthy; the debt of the congregation was increasing daily; the church as it was, when divine service was first held in it, had cost £1310 currency—to meet which, debts to the amount of £649 had been contracted.

Such was the distress and difficulties of the Congregation at this time, that they could not for two years, pay the rent of the parsonage house—and the unskil-

fulness in building, and of those whom they were compelled to employ, was so great, that it cost them no small sum, to correct the errors committed—the roof of the church had been made too heavy, this added to the weight of the steeple, caused a dangerous rent in the wall, it became absolutely necessary to remove the steeple, and it was taken down—it was also contemplated to take down part of the wall; when a person offered to strengthen them so that they should answer the purpose they were intended for. He for this purpose built the two portals on the north and south sides of the Church. It was not completely finished until 1748—and on the 14th August, same year, finally consecrated. The whole cost of the church was, exclusive of the ground, about 8000 dollars.

In January, 1745, Pastor Peter Brunholtz arrived, and with him came Messrs. Schaum and Kurtz, students of divinity; the former was employed as schoolmaster in the German school at Philadelphia, the latter in the school at New Hanover. Mr. Brunholtz on account of the infirm state of his health, had assigned to him the Philadelphia and Germantown congregations. Mr. Muehlenberg officiated in Providence and New Hanover, often visiting and preaching in various other places. The congregation in Philadelphia increased daily, and the state of their funds allowed them now to build an organ in the church, which was consecrated on the 12th May, 1751, and was the considered the largest in the Provinces.

In 1759 it was found necessary to purchase the lot N. E. corner of fifth and Cherry streets, for a burial Ground; it cost £915 currency.

The want of regularly ordained ministers continued to be felt in Pennsylvania, and Professor Franken, prevailed on Pastor Frederick Handschuch of Halle, to go there; he arrived in Philadelphia 5th April, 1748, and on the 16th May following was installed Pastor of the German Lutheran Church at Lancaster.

On account of the bad state of Pastor Brunholtz's health, a pressing letter was sent to Halle, for two more ministers, the choice fell on Pastor Frederick Schultze, of Konigsberg in Prussia of John Dietrich M. Heintzelman, they arrived in Philadelphia on the 3d December, 1751, the latter was appointed Adjunct, to pastor Brunholtz, the late assistant to pastor Muehlenberg.

The 9th of February, 1756, pastor Heintzelman died, aged 29 he was born in Saltzwedel in Brandenburg studied Divinity at the University of Halle, had been an Inspector of the Orphan School connected with the University, and was ordained in Wernigerode the 11 July, 1751—he was minister in Philadelphia about 5 years, and was interred in St. Michaelis' Church.

The 7th October, 1757, pastor Peter Brunholtz died, he was born in Nuebel, a town in the Principality of Gluecksburg, Duchy of Sleswig, he was ordained at Wernigerode 12th April, 1744, (he left his Library to the Church,) he had been minister in Philadelphia 12 years and was buried in St. Michaelis' Church.

After the death of Mr. Heintzelman, Pastor Handschuch assisted Mr. Brunholtz, in performing the duties of the Philadelphia Congregation, pastor Handschuch had been stationed at Lancaster, afterwards at Germantown, but on account of some disagreements, had left both places, he was employed in a German Printing office, at the time of Mr. Heintzelman's death, after the death of Mr. Brunholtz he was elected minister of the Philadelphia congregation in November, 1757.

In 1761, Pastor Muehlenberg was necessitated to come to Philadelphia, and again to officiate as senior minister; after his arrival the dissatisfaction before manifested disappeared.

The 10th of November, 1764, Pastor John Frederick Handschuch died, he was born in Halle, and educated at the University and that of Leipzig; he was ordained at Altenberg in 1744, and for some years after had been Chaplain, at the Court of Christian Earnest Duke of Saxe

Salfelett, he was minister in Philadelphia 7 years, and was buried in St. Michaelis' Church.

On the 1st April, 1764, pastors John Andrew Krug of Saxony, and John Ludwig Voigt of Mansfeldt, arrived in Philadelphia, the former after some time, was stationed and died at Frederickstown, Maryland, the latter had the congregations of Peikstown, New Providence and Pottstown, he died in Vincent township, Chester County. The congregation obtained a charter 25th September, 1765, (and a confirmation of the Church constitution of the 18th October 1762) from Thomas Penn and Richard Penn, Proprietaries &c. by the corporate name of "the Rector, Vestrymen and Church wardens of the German Lutheran congregation in and near Philadelphia—and pastor Muehlenberg was appointed Rector."

The 24th October, 1765, pastor Christian Emanuel Schultze of Probstzell arrived, he was appointed junior minister of Philadelphia, he was a son-in-law to Rector Muehlenberg. By the purchase of the Parsonage House and Lot, and the building in 1761 of the school-house in Cherry street, the congregation incurred a debt of £2500 currency.

It was now the opinion of many, that the corporation of this congregation, could not for a long time, venture on any matter of importance, involved in debt as they were, they must desist from all expensive undertakings—the congregation was increasing most rapidly, St. Michaelis' church which 20 years before, was thought too large a building, for the congregation, was now too small, the school-house was also used on Sundays, this was yet insufficient to contain all; application was made to the trustees of the Academy in 4th st. for the use of their hall, and divine service was held there, by the congregation for a considerable time.

Thus situated, the congregation notwithstanding their heavy debt, saw the necessity of erecting another church—the lot corner of Cherry and Fourth streets, was selected for this purpose, 98 feet on 4th st. was bought of Daniel Wister, for £1083 12 0 and 36 feet, on same st. of Paul Weitzel and Andrew Graff of Lancaster, for £456 17 making together £1540 9 currency.

The 16th May, 1766, the corner stone of Zion Church was laid—the length of the church is 108 feet, the breadth 70. At the end of the year, the building was under roof; at an expense of £3756, exclusive of the lot, the quantity of bricks used in this large building, was 525,567—the foundation of the Tower (which is placed on the east side of the church) is deep; the lower part projecting some feet, from the perpendicular line of the wall, inside and outside, so that each side rests on a wall from 24 to 30 feet wide at the bottom, and gradually narrowing to the surface of the ground.

The 5th January, 1767, the debt of the congregation amounted to £4632 15 9 currency; in this year the church was plastered and the floor laid, the finishing of it was postponed, as it was deemed imprudent to increase the debt, and difficult to obtain any sum, on interest, owing to the scarcity of money.

In 1769 the 25th June, it was so far finished as to be consecrated, the whole cost was about £8,000 currency exclusive of the lot, the debt had increased to £5,200 currency.

This church was the largest and handsomest in North America, the roof and ceiling were supported by eight large columns, of the Doric order, which served for bases of the arches of the ceiling, which was ornamented and finished in a most magnificent manner, no expense was spared in finishing the inside of this church—this most superb temple was afterwards destroyed by fire.

On the 2d of April, 1769, pastor John Frederick Schmidt, and J. Henry Christian Helmuth, arrived in Philadelphia, the latter was appointed minister at Lancaster. The former officiated some time in Philadelphia, when the Germantown congregation, which had become numerous, invited him, and the synod consented to his accepting a call to that place.

In September, 1770, pastor John C. Kunze, of Artern

arrived; he was the eleventh ordained minister, who had been sent from Halle, and was appointed junior minister in Philadelphia, he was educated at Leipzig.

In 1771, pastor Schultz resign'd, and accepted a call to Tulpehocken where he died.

In 1773, pastor Muehlenberg, a son of Rector Muehlenberg was appointed assistant minister of Philadelphia.

The Philadelphia congregation now had three ministers, viz: Rector Muehlenberg, his son, and the rectors son-in-law Mr. Kunze.

In 1774, Rector Muehlenberg resigned, and went to reside at Providence (called also the Trap) where he died in 1787; at the age of 76—he had been minister in Philadelphia, 1st three years—2dly thirteen years.

In 1777, the British took possession of Philadelphia. St. Michael's Church was used for a garrison church and Zion was converted by them into a Hospital, the pews were removed and stoves placed in the church, the congregation were allowed the use of St. Michaelis Church ½ day on Sundays; before the end of the revolutionary war, Zion was repaired at the expense of the congregation of £1,300, and the 22d September 1782 was again consecrated.

After the British left Philadelphia, the scattered members returned, and the congregation increased so much, that they were obliged to provide another grave yard, and the square between Race and Vine, and 7th & 8th streets, was purchased for this purpose, the annual revenue of the congregation was at this time, about £2,000 currency—the two houses in 4th st. south of the Parsonage had been bought before; about this time the house corner of Cherry and 4th was erected—part of the debt had been paid off every year; during the war the corporation had been under the necessity of paying some debts with depreciated money, but as soon as circumstances permitted, which was about this time, they made the loss good to the different persons, who had suffered; the sum paid was some hundred pounds, they did not finally get out of debt, until 1785.

In 1779, pastor Henry Muehlenberg resign'd, he had been ordained in America, in 1770, and died at Lancaster—he was Minister in Philadelphia only 6 years. Same year J. H. C. Helmuth was elected minister of Philadelphia.

In 1780, the Charter was by the Legislature confirmed with amendments—the title of Rector abolished—the style and title of the corporation is now "the Ministers, Elders and Church wardens, of the German Lutheran Congregation, in and near the City of Philadelphia."

In 1784, pastor Kunze resign'd, and accepted a call to the city of New York (where he died,) he was minister in Philadelphia 16 years; the same year an election for a second minister for Philadelphia congregation was held, the candidates were Messrs. Schultze, Kunze and Kurtz—Mr. Schultze was elected, but declined accepting the call.

The Philadelphia congregation, had now only one minister—the corporation applied to pastor Schmidt of Germantown for his assistance, he granted their request, on condition of officiating alternately in Philadelphia and Germantown.

In 1785, pastor Schmidt was almost unanimously elected minister of Philadelphia. A resolve having previously been made, that in future the distinction of senior and junior ministers should cease, and that in point of rank and privileges they should be equal, for the future.

In August 1786, arrived pastor John Frederick Weinland, of Roembild; he was the last of the twelve ordained German Lutheran ministers, sent by the Directors Professor of Divinity of the University of Halle, to America, he was immediately appointed minister of Germantown; he died at Providence, Pennsylvania.

In 1789, the Legislature of this state gave to the congregation, for the use of their Poor School 5,000 acres of land in Tioga County.

In 1790, the 10th October, the Organ in Zion Church was consecrated, this was the largest, and best organ in

America. The frame was 24 feet front, 8 feet deep and 27 feet high; the divisions consisted in front of 5 turrets and 4 planes, all two storied except the two side turrets, which on account of the large pipes, were only one story; in the front were upwards of one hundred metal pipes, the largest 16 feet in height, this instrument contained about 2,000 pipes, and had three sets of Keys—and the following Registers.

## GREAT MANUAL.

| 10 Registers. |        | Registers.     |        |
|---------------|--------|----------------|--------|
| 1 Principal   | 8 feet | 6 Trumpet      | 8 feet |
| 2 Quinta den  | 16 do  | 7 Octave       | 4 do   |
| 3 Gamba       | 8 do   | 8 Quinte       | 3 do   |
| 4 Gemshorn    | 8 do   | 9 Octave       | 2 do   |
| 5 Gedact      | 8 do   | 10 Flute       | 4 do   |
| 11 Mixture    |        | 4 and 6 ranks. |        |

## UPPER MANUAL.

|                    |        |                |        |
|--------------------|--------|----------------|--------|
| 1 Principal, dulc. | 8 feet | 6 Nacht horn   | 4 feet |
| 2 Quinta dena.     | 8      | 7 Sollicet     | 4      |
| 3 Vox humana       | 8      | 8 Holflute     | 2      |
| 4 Flute, amab.     | 8      | 9 Cimbcl       | 4 rks. |
| 5 Gedact           | 8      | 10 Fisltequint | 3-feet |

## Echo to Tenor F

|                |        |                  |        |
|----------------|--------|------------------|--------|
| 1 Dulcian      | 8 feet | 4 Hautbeis       | 8 feet |
| 2 Flute Traver | 8      | 5 Fislula Octav. | 4      |
| 3 Roer Flute   | 8      | 6 Nagt horn      | 4      |

## 7 Echo Bass 8 feet.

## PEDAL.

|                |         |               |         |
|----------------|---------|---------------|---------|
| 1 Princip Bass | 16 feet | 2 Subbass     | 16 feet |
| 3 Trumpet      | 16      | 4 Octave Bass | 8       |
| 5 Quinta       | 6       | 6 Octave      | 4       |

In addition to the Registers were Cimbcl Stars [2] Tremulent. Sperr Ventil—2 couplings and 5 large bellows placed in tower.

The organ was built by David Tannenberg, a self taught artist.

In 1793, the congregation lost 625 members by yellow fever, &c.

In 1794, on 2d Christmas evening the vestry room was discovered on fire, and the whole of the wood work of the tower, was consumed, many of the books of the library were burnt; from the tower, the fire reached the upper part of the Church, between the roof and ceiling, the whole fell a prey to the flames, part of the organ pipes were saved, these were afterwards delivered to Lowe, who built the organ now in Zion, this great fire was caused by putting hot ashes in a box which was left in the vestry. The light of this fire was seen many miles.

The congregation this year erected the School house in the Northern Liberties, on the lot corner of 2nd and Brown st. which had been purchased some time before.

After the destruction of Zion, some of the other congregations, generously offered the use of their churches, part of each Sunday; the offer on the part of the German Reformed Congregation was accepted.

The members of Zion, and St. Michaelis subscribed liberally for rebuilding the church, others also contributed, and the rebuilding commenced immediately, at this time the tower was raised to its present height.

About this time an opportunity offered of purchasing the lot of ground, south of the church, (on which the School house now stands) and notwithstanding the heavy expense, of rebuilding the church, it was thought advisable to make the purchase, the lot cost £3,500.

In November 1796, the rebuilt Zion was consecrated.

In 1800 they had 4 schools and 250 scholars. At this time pastor Schmidt stated in an account which was published in Germany that the number of German Lutheran Ministers, in Pennsylvania, Maryland and Virginia; belonging to the Lutheran Synod of Pennsylvania was 53; these officiated in 300 Congregations; in these congregations the number of families was about 50,000—that in the State of New York, the Synod consisted of 8 ministers, the Synod of North Carolina of 5.

In 1802, the question of introducing English preach-

ing, in the Churches, was agitated, and the fourteenth February 1803, an election was held, to decide this question, and those opposed to its introduction, had a considerable majority—this did not allay the disturbance, each party endeavoured to elect their corporators, in 1804 the Germans succeeded by a majority of only 7; in 1805, by a majority of thirty-four; after this election, the Germans offered their English brethren, on condition of separating from the German congregation, St. Michaelis Church, and the burial place, in which it stands; the School-house in Cherry street, and the privilege of burying in the other grounds, to such as had already relations interred there—the new congregation to pay one third of the debt of the Congregation, which was then \$6,831, those in favour of English, declined this offer.

In 1806, the election for members of the corporation was warmly contested, near 1,400 votes were polled, the Germans had a majority of 130—those in favour of English preaching, now held divine service in the Academy, where the present minister, Mr. Mayer, officiated for them, they afterwards built a church in Race st.

In 1811, the present organ was put in Zion Church, it is not so large as the former one; it was built by Lowe.

The 12th May, 1812, died pastor John Frederick Schmidt, President of the German Lutheran Synod of Pennsylvania, in the 67th year of his age; he was born in Froese, Anhalt Bernburg, and educated at the University of Halle; while employed at this University, as Latin, and Greek master, and instructor of the senior class in the higher branches of Mathematics, he was selected to go to America, and accepted of a call for this purpose, he was examined and ordained the 3d August 1768, by the Consistory of Wernigerode, besides the Latin, Greek and Hebrew, he was well versed in the Syriac and Arabic, on his arrival in Philadelphia, he officiated here for some time, when he accepted a call to Germantown, where he was minister 16 years, and in Philadelphia 27 years—he was interred in St. Michaelis' Church.

Of the nine pastors the Philadelphia congregation had, only Messrs. Heintzelman, Brunholtz, Handschuch and Schmidt, died ministers of the congregation.

In 1811, pastor Frederick D. Shaefer of Germantown, the present minister was elected—he is a native of Germany.

About the year 1814, another party arose, in the congregation in favor of English preaching, it appeared, [by an election about this time] that this party was rather more than one fourth of the congregation; they like their predecessors, afterwards held divine service in the Academy, pastor Krause, a native of Philadelphia, is their minister, they are now building a Church in New street near Fourth.

At the commencement of the question of English service in the congregation, this party had a large majority in the corporation, the most influential and wealthy part of the members were in favour of it, neither of the pastors were then opposed to it, one had already begun to catechize the children in the English; some of the Germans did not conceal their fears, that their language would in time be entirely abolished from their churches. From this time the Germans began to oppose it seriously, and successfully, and although the offer to secure the German, was afterwards made, it was too late. Subsequently the corporation, consisting wholly of Germans taking into consideration the impossibility of rearing children, in the centre of an American community, to understand the German language properly, that as they grew up, they must leave the church; that the congregation must depend upon emigration, for its supply of members, and that strangers would supplant the natives; attempted a plan of introducing the English, by which the German language would have been continued as long as 50 persons should desire it—but they failed in obtaining the consent of the congregation.

In 1820, it was by an election decided, that the con-

gregation would dispense with the services of 1 of their two ministers, and shortly after, pastor Schaefer, was re-elected. Pastor Helmuth of course retired, he died in 1823, and was buried in St. Michaelis—he had been educated at Halle, and was the last of the 12 ordained ministers sent from Germany to this country.

Shortly after the re-election of pastor Schaefer, it was again by election decided, that the congregation needed two ministers, and pastor Demme, an able divine and the present minister was elected; he is a native of Germany.

The annual revenue of the congregation is about \$5,000 and is derived from the rent of the houses, ground rents, rents of seats in churches, fees for interments, and voluntary contributions by the members.

Many years before the destruction of Zion, and after it, the churches were crowded on Sundays and continued to be well filled until the separation of those in 1805, who built St. John's Church.

The Births and Deaths in this congregation from 1774 to 1783 inclusive, were as follows:

| Years. | Births. | Deaths. |
|--------|---------|---------|
| 1774 - | 379     | 156     |
| 1775 - | 338     | 175     |
| 1776 - | 389     | 124     |
| 1777 - | 298     | 169     |
| 1778 - | 303     | 178     |
| 1779 - | 348     | 186     |
| 1780 - | 320     | 158     |
| 1781 - | 323     | 162     |
| 1782 - | 398     | 219     |
| 1783 - | 339     | 215     |

Total, 3485 1742

Average Births 348½—Deaths 174-1.5. per ann.

From 1800 to 1805, when St. John's Congregation separated.

| Years. | Births. | Deaths. |
|--------|---------|---------|
| 1800 - | 300     | 187     |
| 1801 - | 296     | 168     |
| 1802 - | 271     | 233     |
| 1803 - | 318     | 162     |
| 1804 - | 298     | 192     |
| 1805 - | 351     | 184     |

Total, 1834 1126

Average, 305-2.3 187-2.3

From 1806 to 1810 after the separation.

| Years. | Births. | Deaths. |
|--------|---------|---------|
| 1806 - | 405     | 178     |
| 1807 - | 441     | 171     |
| 1808 - | 457     | 165     |
| 1809 - | 527     | 168     |
| 1810 - | 541     | 162     |

Total, 2311 844

Average 474-1.5 Births 168-4.5 Deaths.

In 1786, the number of clergymen belonging to the Synod of Pennsylvania was 24; in 1816, 82.

A few years ago this Body divided itself into two Synods, the Susquehanna is the division line.

#### FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

#### SWEDISH DOCUMENTS.

*Letter patent in relation to the State of New Sweden, Stockholm, January 20, 1648.*

We Christiana &c. &c., make known that, although our Guardians and administrators of the kingdom and government, did in 1642, decree and assign for the state and support of the government of New Sweden, of the garrison under its orders, and others in its employ, two

millions six hundred and nineteen Rix dollars, to be collected each year from the excises upon tobacco, yet as it has been subsequently found that the said excises amounted ordinarily but to one half of the aforesaid sum, we have therefore judged it proper to grant, and do permit and grant by these letters patent, that the Company of the South may, for the State as aforesaid of New Sweden, and for the support and payment of those in their employ, retain and require the third of the excises of our Crown upon all confiscated tobacco, as also, whatever profit the fines, imposed for the contravention of our prohibition against the importation of tobacco, have already yielded, or which may in the future arise from the violation and insidious eluding of our ordinances against the secret introduction of tobacco into our kingdom or our great Dutchy of Finland. And as we have examined and found that the said excises upon tobacco have not in 1641, 1642, 1643, 1644 and 1645 been appropriated to the prescribed state of New Sweden according to the resolution aforementioned, but that they have been employed for other purposes of the Crown, and especially for the construction of the Chateau of Stockholm, and that in the mean time the state of New Sweden has been supported by other revenues of the Company of the South; we will and agree that the said company require and receive from the Counsellors of our chamber of the kingdom, whatever, on their account, the company aforesaid have advanced and have not had refunded. In case the aforesaid excises upon tobacco and the fines arising from the secret introduction of tobacco are insufficient to furnish the necessary sum for the annual support of the state of New Sweden, we have decided and willed that the deficit be made up from the other resources of the Crown; but if the excises upon confiscated tobacco with the fines, are more than sufficient to supply the amount required for the support of New Sweden, the overplus shall be returned and deposited in the chamber of revenue of the Crown, each year an exact and clear account of it being presented by the Book-keepers of the company, which shall be deposited in our chamber of accounts. Finally, whereas the Company of the South, in order to facilitate and continue its commerce in New Sweden, is desirous that a part of all the manufactures of Holland arriving at Gottenburg, should be transported to New Sweden; we have agreed and resolved that such merchandize as shall come from Holland for transportation to New Sweden, and which shall not be landed in Sweden to be there sold, may pass without paying duty, as well as the tobacco and furs which come into this kingdom from New Sweden. But the tobacco sent by the Company to Holland shall be subject to a duty according to the tariff. In consequence hereof, we forbid all those who owe to us submission and obedience, and particularly the treasurers of our kingdom, our counsellors of the Chamber, and our administrator general of customs, and those employed in our Custom-houses, to oppose in respect thereto, let or hinderance in any manner, to the Company. In faith of which, &c. &c. Given as above.

CHRISTIANA.

*Nils Tunzel.*

Donation to Captain John Amundson Besh, of a tract of land in New Sweden.

*Stockholm, August 20th, 1653.*

We Christiana &c., make known that by grace and favour, and in consideration of the zeal and fidelity with which we have been served, ourselves and the crown of Sweden, by our very faithful subject, the brave and courageous Capt. John Amundson Besh, and further, because he has engaged to serve us, ourselves and the crown of Sweden, with similar zeal and fidelity so long as he shall live and his strength permit him; we accord and grant, and by these letters patent, have accorded and granted, to himself, his wife, and to his heirs and their heirs, a tract of land situated in New Sweden,

(Marcus Hook) extending to uplands kyll, together with all the dependencies and commodities thereto appertaining, whether upon the land or upon the water of whatever name; without excepting what has always belonged thereto, which ought to belong by right, or which may be adjudged to appertain thereto by the laws and a legal decision; to keep and possess the same forever, as his own inviolable property. According to which let all whom it may concern regulate themselves, offering the said Besh, his wife and heirs neither obstacle or prejudice of any kind whatever, now or hereafter.—In faith of which &c. &c. Given as above.

CHRISTIANA.

N. TUNGEL.

Donation to Lieutenant Swen Schute of land in New Sweden.

*Stockholm, August 20, 1653.*

We Christiana &c., make known that by grace and favour, and in consideration of the good and important services which have been rendered to us and to the crown of Sweden, by our faithful subject the brave and courageous Lieutenant Swen Schute, and further, because he has promised so long as he shall live and his strength will permit him, he will remain faithful to us and the crown of Sweden, we give and grant, and by virtue of these letters patent have given and granted, to himself, his wife, and to his heirs, a tract of country in New Sweden, viz. Mockorhulteykyl, as far as the river, together with the small island belonging thereto, viz. the island of Karinge and Kinsessing comprehending also Passumung, with all the commodities and other accessories which belong thereto, either upon the water or land, by whatever name called, not excepting whatever now is or always has appertained thereto, or which ought in right to appertain; the enjoyment and possession of which may afterwards be annexed thereto, by virtue of the laws and a legal sentence. All of which we give to him to possess forever as an inviolable property. According to which let all whom it may concern regulate themselves, offering to the said Swen Schute, his wife and heirs, neither obstacle or hindrance of any kind whatsoever, now or hereafter. In faith of which &c. &c. Given as above.

CHRISTIANA.

N. TUNGEL.

Resolution and Declaration of her Majesty, in relation to the affair referred to the Supreme Court of Abo, of three individuals, each of whom had killed an Elk, in the Island of D'Aulaud, and in consequence had been condemned conformably to our Edict.

*Stockholm, Aug. 11, 1653.*

• Her Majesty having caused the sentences which have been rendered in this affair to be read, as well as the decision of the Superior Court, attached to the same, finds the aforesaid sentence to be correct, as she now declares by these presents; viz: that Nils Mattson of Stromm, and John Haupen of Pensarriaas be caused to run the gauntlet, each three times, but that Henry D'Oregruud be sent to New Sweden. The Sheriff will therefore make known to the said Henry this resolution, and have him sent immediately hence to the admiralty.

Given as above.

CHRISTIANA.

Considering that the Country possessed in America by the Company of the South, and to which the name of New Sweden has been given, ought to be more extensively settled, and rendered secure by a stronger force, in order to protect the subjects and to extend their Navigation and Commerce,—the general College of Commerce, has judged it good and proper for the present and until it shall be otherwise ordered, to accord to each one of her majesty's subjects, who will sail for New Sweden, in their own vessels, the liberty of trading upon the River of the South, and in the interior of the country, as well with the Savages, as with the Chris-

tians and the Company itself; of ascending and descending the said river without paying any longer duty or tax, on condition, however, they pay an indemnification of two per cent. upon all merchandize, according to a reasonable valuation. And if they import the merchandize they may procure by trading in the said river, upon Swedish vessels, into any part belonging to her Majesty, they can there land and sell the same exempt from all duty and charge. But it shall not be permitted to foreign vessels to trade upon the said river with the Savages or with any others, but with the company alone.

In consideration of the premises we declare that it is permitted to all subjects of her majesty, to establish on the lands appertaining to the company, as many colonies as they may be able at their own expense, to keep the said lands and to employ them in plantations of tobacco or in any other useful manner, during certain years, of franchise and under good conditions. But any one who has purchased from the savages particularly a portion of land, or has had the same from the company at a just price, and has thereon established cultivators, he shall possess the same for ever with all the allodial franchises customary in this country; with this exception, however, that no one shall establish himself in those places where the Company have reserved certain lands for culture as aforesaid. It is therefore certified in the name and on the part of her majesty, to all such as would attempt in New Sweden, the trade or cultivation as above described, either that they shall be comprehended within the company, in relation to which a further grant will be delivered, or that they shall be maintained in the liberty which has been accorded to them. It is necessary, however, to observe that if any one demands possession of a tract of land, he can only obtain the same, according to the orders of Government, and that he will be required to submit to all the just and civil laws of the country.

Done at Upsal, December, 1653.

The general College of Commerce makes known by these presents, that it has accepted the bearer of this letter, John Amundson, on the part of the Company of the South, as a Captain of the navy, who is about to embark on board a galliot, belonging to the Company, for New Sweden, there to take command of the seamen, &c. His duty will consist principally in performing with zeal and fidelity all the duties that appertain to a Captain of the navy, in endeavouring to procure every species of advantage to the benefit of her majesty and of the Company of the South, and, should he by the grace of God, arrive in New Sweden, to superintend carefully the construction of vessels, in order that they be faithfully and diligently built. In addition to which he will execute suitably in the above and all other things (conformably to the instructions he has received,) the orders of the governor. In consequence thereof he shall annually receive from the company such support as his capacity of Captain will entitle him to, and in the future he may count with certainty upon the favor of her majesty for recompense, and to obtain (by the promotion of the Company) a more elevated employment.—We therefore require, as it is proper, that the Governor receive the said John Amundson, in the rank of captain in the navy, and duly support him in the charge which to him is confided, and promote him hereafter according as his good conduct and the course of events shall render proper. In faith of which we have ourselves signed these presents and have caused to be affixed to them the ordinary seal of the General College of Commerce.

Done at Stockholm, November 1653.

*Appointment by the Governor.*

GEORGE LAUMAN, of this borough, to be a Justice of the Peace; in the district No. 1, composed of the borough and township of York.

## STATE TAXABLES.

We have been favored with the following tables of the taxables, deaf & dumb, and slaves, in each Township & County of the state, by *John Foulgerod, Esq.* Being a member of the last legislature, and one of the committee on the apportionment of the representatives, they were copied by him from the returns made by the respective counties.

## ADAMS COUNTY.

| Townships.       | Taxables. | Deaf & Dumb. | Slaves. |
|------------------|-----------|--------------|---------|
| Gettysburg, Bor. | 281       | 1            | 1       |
| Cumberland,      | 213       | 1            | 1       |
| Franklin,        | 320       | 4            | 1       |
| Hamiltonban,     | 282       | 1            | 1       |
| Straban,         | 265       | 1            | 1       |
| Germany,         | 322       | 1            | 1       |
| Liberty,         | 226       | 1            | 1       |
| Conowago,        | 198       | 1            | 1       |
| Mountjoy,        | 191       | 1            | 1       |
| Latimore,        | 179       | 3            | 1       |
| Huntington,      | 264       | 1            | 1       |
| Tyrone,          | 159       | 1            | 1       |
| Reading,         | 177       | 2            | 1       |
| Hamilton,        | 215       | 1            | 1       |
| Menallen,        | 387       | 2            | 1       |
| Mt. Pleasant,    | 285       | 1            | 1       |
| Berwick,         | 228       | 1            | 1       |
| Total in county, | 4192      | 11           | 8       |

## ALLEGHENY COUNTY.

|                     |        |    |   |
|---------------------|--------|----|---|
| City of Pittsburgh, | 2653   | 9  | 1 |
| Pitt Township,      | 1218   | 1  | 1 |
| Wilkins,            | 395    | 2  | 1 |
| Plum,               | 356    | 3  | 1 |
| Versailles,         | 233    | 3  | 1 |
| Elizabeth,          | 571    | 1  | 1 |
| Mifflin,            | 269    | 1  | 1 |
| Jefferson,          | 307    | 1  | 1 |
| St. Clair,          | 965    | 2  | 1 |
| Robinson,           | 275    | 1  | 1 |
| Fayette,            | 536    | 1  | 1 |
| Findlay,            | 270    | 1  | 1 |
| Moon,               | 221    | 1  | 1 |
| Ohio,               | 221    | 1  | 1 |
| Franklin,           | 112    | 2  | 1 |
| Pine,               | 241    | 1  | 1 |
| Deer,               | 312    | 1  | 1 |
| Indiana,            | 356    | 1  | 1 |
| Ross,               | 725    | 1  | 1 |
| Total in City & Co. | 10,236 | 24 | 1 |

## ARMSTRONG COUNTY.

|                     |       |  |  |
|---------------------|-------|--|--|
| Bor. of Kittanning, | 123   |  |  |
| Kittanning Tp.      | 281   |  |  |
| Allegheny,          | 602   |  |  |
| Buffaloe,           | 429   |  |  |
| Clarion,            | 340   |  |  |
| Perry,              | 157   |  |  |
| Plum creek,         | 262   |  |  |
| Redbank,            | 293   |  |  |
| Sugar creek,        | 344   |  |  |
| Toby,               | 263   |  |  |
| Wayne,              | 153   |  |  |
| Omitted by Assess.  | 12    |  |  |
|                     | 3,259 |  |  |
| Names insert. twice | 2     |  |  |
| Total in county,    | 3,257 |  |  |

## BEAVER COUNTY.

|                  |       |  |  |
|------------------|-------|--|--|
| Borough,         | 186   |  |  |
| Moon,            | 226   |  |  |
| Brighton,        | 225   |  |  |
| Gaan,            | 284   |  |  |
| Ohio,            | 201   |  |  |
| North Sewickly,  | 412   |  |  |
| Economy,         | 356   |  |  |
| Big Beaver,      | 223   |  |  |
| New Sewickly,    | 257   |  |  |
| Shenango,        | 308   |  |  |
| South Beaver,    | 174   |  |  |
| Hopewell,        | 272   |  |  |
| Hanover,         | 308   |  |  |
| Chippawa,        | 100   |  |  |
| South Beaver,    | 336   |  |  |
| North Beaver,    | 343   |  |  |
| Total in county, | 4,208 |  |  |

## BEDFORD COUNTY.

|                    |       |  |  |
|--------------------|-------|--|--|
| Air Township,      | 279   |  |  |
| Bedford Borough,   | 163   |  |  |
| Bedford Township,  | 227   |  |  |
| Belfast,           | 274   |  |  |
| Bethel,            | 140   |  |  |
| Colerain,          | 200   |  |  |
| Cumberland valley, | 150   |  |  |
| Dublin,            | 160   |  |  |
| Greenfield,        | 262   |  |  |
| Hopewell,          | 325   |  |  |
| Londonderry,       | 135   |  |  |
| M'Connellsburg Bo  | 92    |  |  |
| Napier Township,   | 434   |  |  |
| Providence,        | 413   |  |  |
| Southampton,       | 270   |  |  |
| St. Clair,         | 336   |  |  |
| Woodberry,         | 582   |  |  |
| Total in county,   | 4,442 |  |  |

## BRADFORD COUNTY.

|                  |       |  |  |
|------------------|-------|--|--|
| Albany,          | 64    |  |  |
| Asylum,          | 91    |  |  |
| Athens,          | 190   |  |  |
| Burlington,      | 98    |  |  |
| Canton,          | 201   |  |  |
| Columbia,        | 198   |  |  |
| Franklin,        | 103   |  |  |
| Litchfield,      | 89    |  |  |
| Monroe,          | 150   |  |  |
| Orwell,          | 197   |  |  |
| Pike,            | 238   |  |  |
| Ridgberry,       | 102   |  |  |
| Sheshequin,      | 124   |  |  |
| Smithfield,      | 197   |  |  |
| Springfield,     | 160   |  |  |
| Troy,            | 173   |  |  |
| Towanda,         | 157   |  |  |
| Ulster,          | 70    |  |  |
| Warren,          | 133   |  |  |
| Wells,           | 130   |  |  |
| Windham,         | 121   |  |  |
| Wysox,           | 205   |  |  |
| Wyalusing,       | 174   |  |  |
| Total in county, | 3,365 |  |  |

## BERKS COUNTY.

|             |     |  |  |
|-------------|-----|--|--|
| Albany,     | 200 |  |  |
| Alsace,     | 402 |  |  |
| Amity,      | 284 |  |  |
| Bern,       | 410 |  |  |
| Bern upper, | 406 |  |  |
| Bethel,     | 281 |  |  |
| Brecknock,  | 180 |  |  |
| Caernarvon, | 175 |  |  |

|                  |        |    |   |
|------------------|--------|----|---|
| Colebrookdale,   | 230    |    |   |
| Cumra,           | 497    |    |   |
| District,        | 114    |    |   |
| Douglass,        | 156    |    |   |
| Earl,            | 183    |    |   |
| Exeter,          | 291    |    |   |
| Greenwich,       | 274    |    |   |
| Hereford,        | 316    |    |   |
| Heidleberg,      | 923    |    |   |
| Kutztown,        | 133    |    |   |
| Longswamp,       | 297    |    |   |
| Maiden creek,    | 294    |    |   |
| Maxetawny,       | 254    | 1  | 1 |
| Oley,            | 290    |    |   |
| Pike,            | 147    |    |   |
| Reading Borough, | 1068   | 2  |   |
| Richmond,        | 268    | 2  |   |
| Robeson,         | 371    | 2  |   |
| Rockland,        | 257    | 2  |   |
| Ruscomb manor,   | 250    |    |   |
| Tulpehocken,     | 424    |    |   |
| Tulpehockenupper | 268    |    |   |
| Union,           | 191    |    |   |
| Windsor,         | 368    | 2  |   |
| Total in county, | 10,202 | 11 | 2 |

## BUCKS COUNTY.

|                     |       |    |   |
|---------------------|-------|----|---|
| Bensalem,           | 338   | 3  | 2 |
| Britain New,        | 270   | 1  |   |
| Bedminster,         | 338   |    |   |
| Buckingham,         | 467   |    |   |
| Bristol Township,   | 252   |    |   |
| Bristol Borough,    | 202   |    |   |
| Doylestown,         | 362   | 2  | 1 |
| Durham,             | 127   |    |   |
| Falls,              | 369   |    |   |
| Hilltown,           | 378   | 1  |   |
| Makefield upper,    | 314   |    |   |
| Makefield lower,    | 264   | 4  |   |
| Haycock,            | 221   | 1  |   |
| Middletown,         | 424   |    |   |
| Morrisville borough | 91    |    |   |
| Milford,            | 402   | 1  |   |
| Northampton,        | 311   | 6  |   |
| Nockamixon,         | 407   | 1  |   |
| Newtown,            | 233   |    |   |
| Plumstead,          | 402   |    |   |
| Rockhill,           | 424   |    |   |
| Richland,           | 344   |    |   |
| Southampton,        | 234   |    |   |
| Solebury,           | 503   |    |   |
| Springfield,        | 429   | 1  |   |
| Tinicum,            | 331   |    |   |
| Wrightstown,        | 148   |    |   |
| Warminster,         | 155   |    |   |
| Warrington,         | 113   |    |   |
| Warwick,            | 216   |    |   |
| Total in county,    | 9,076 | 21 | 3 |

## BUTLER COUNTY.

|                    |       |  |  |
|--------------------|-------|--|--|
| Centre,            | 241   |  |  |
| Muddy creek,       | 239   |  |  |
| Middlesex,         | 244   |  |  |
| Clearfield,        | 129   |  |  |
| Parker,            | 165   |  |  |
| Borough of Butler, | 116   |  |  |
| Butler Township,   | 145   |  |  |
| Donnegall,         | 228   |  |  |
| Cranberry,         | 200   |  |  |
| Slipperyrock,      | 312   |  |  |
| Venango,           | 102   |  |  |
| Mercer,            | 172   |  |  |
| Conequenessing,    | 358   |  |  |
| Buffaloe,          | 159   |  |  |
| Total in county,   | 2,810 |  |  |



| COLUMBIA COUNTY.   |           |           |        |                     |        |    |    |
|--|-----------|-----------|--------|---------------------|--------|----|----|
| Townships.   | Taxables. | Assessed. | State. |                     |        |    |    |
| Greenwood,   | 201       |           |        | West do.            | 327    | 1  | 2  |
| Madison,   | 233       |           |        | Upper Oxford,       | 222    |    |    |
| Hemlock,   | 270       | 1         |        | Lower do.           | 224    |    |    |
| Bloom,   | 358       |           |        | Penn,               | 109    |    |    |
| Liberty,   | 230       |           |        | Pennsbury,          | 163    | 1  |    |
| Sugar Loaf,  | 116       |           |        | Pikeland,           | 282    | 1  |    |
| Mount Pleasant,  | 130       |           |        | Sadsbury,           | 347    | 1  |    |
| Mifflin,   | 314       |           |        | Schuylkill,         | 332    |    |    |
| Limestone,   | 97        |           |        | Thornbury,          | 42     |    |    |
| Derry,   | 328       |           |        | Tredyffrin,         | 319    |    |    |
| Cattawissa,  | 492       | 3         |        | Uwchlan,            | 273    |    |    |
| Mahoning,  | 358       |           |        | Vincent,            | 411    |    |    |
| Briar creek,   | 297       |           |        | Willistown,         | 317    |    |    |
| Fishing creek,   | 97        |           |        | West town,          | 136    | 1  |    |
| Total in county,   | 3,521     | 4         |        | East Whiteland,     | 197    |    |    |
| By a supplemental return, 293 were added to the taxables in this county—but were rejected by the legislature, viz: from Greenwood 7, Madison 15, Hemlock 33, Bloom 56, Sugar Loaf 11, Mt. Pleasant 4, Mifflin 21, Limestone 3, Derry 19, Cattawissa 69, Briar creek 50, Fishing creek 5. |           |           |        | West do.            | 150    | 1  |    |
|  |           |           |        | West Chester,       | 236    | 1  |    |
|  |           |           |        | Addfor Honeybrook   | 4      |    |    |
|  |           |           |        | Total in County,    | 10,231 | 14 | 7  |
| CENTRE COUNTY.   |           |           |        | CUMBERLAND COUNTY.  |        |    |    |
| Rush,  | 81        |           |        | Allen,              | 416    | 1  | 2  |
| Boggs,   | 249       |           |        | Borough of Carlisle | 467    | 2  |    |
| Howard,  | 237       | 4         |        | Dickinson,          | 413    | 3  |    |
| Bald Eagle,  | 153       |           |        | East Pennsborough   | 412    | 4  | 1  |
| Lamar,   | 306       | 1         |        | Frankford,          | 257    |    |    |
| Logan,   | 101       |           |        | Hopewell,           | 152    | 2  | 2  |
| Walker,  | 224       |           |        | Mifflin,            | 261    | 2  |    |
| Spring,  | 284       | 1         |        | Munroe,             | 317    | 3  | 1  |
| Bellefonte borough,  | 121       |           |        | Newton,             | 365    | 1  |    |
| Patton,  | 106       |           |        | North Middleton,    | 306    |    | 2  |
| Half Moon,   | 172       |           |        | Silver Spring,      | 477    | 3  | 3  |
| Ferguson,  | 287       | 2         |        | Southampton,        | 256    | 2  | 1  |
| Gregg,   | 306       |           |        | Shippensburg,       | 333    | 1  | 1  |
| Haines,  | 396       | 3         |        | South Middleton,    | 355    | 2  |    |
| Miles,   | 223       |           |        | Wt. Pennsborough,   | 375    | 1  | 1  |
| Potter,  | 372       |           |        | Total in County,    | 5,342  | 25 | 14 |
| Total in county,   | 3,618     | 11        |        | CLEARFIELD COUNTY.  |        |    |    |
| CHESTER COUNTY.  |           |           |        | Gibson,             | 71     | 1  |    |
| Birmingham,  | 65        |           |        | Covington,          | 47     |    |    |
| East Bradford,   | 227       |           |        | Brady,              | 50     |    |    |
| West do.   | 253       | 1         |        | Bradford,           | 134    |    |    |
| Brandywine,  | 341       |           |        | Beccaria,           | 82     | 2  |    |
| East Caln,   | 301       |           |        | Decatur,            | 58     |    |    |
| West do.   | 254       | 1         |        | Fox,                | 75     | 1  |    |
| Charlestown,   | 178       |           |        | Pike,               | 166    |    |    |
| Coventry,  | 394       |           |        | Lawrence,           | 135    |    |    |
| East Town,   | 137       |           |        | Chest,              | 74     |    |    |
| East Fallowfield,  | 253       |           |        | Total in county,    | 892    | 4  |    |
| West do.   | 348       |           |        | CRAWFORD COUNTY.    |        |    |    |
| East Goshen,   | 173       |           |        | Meadville Borough,  | 228    |    |    |
| West do.   | 156       |           |        | Mead Township,      | 358    |    |    |
| Honey Brook,   | 348       | 1         |        | Wayne,              | 177    |    |    |
| Kennett,   | 231       | 2         |        | Randolph,           | 108    |    |    |
| London Grove,  | 269       |           |        | Oil creek,          | 171    |    |    |
| London Derry,  | 132       | 1         |        | Bloomfield,         | 109    |    |    |
| London Britain,  | 110       | 1         |        | Rockdale,           | 274    |    |    |
| East Marlborough,  | 230       | 1         |        | Venango,            | 178    |    |    |
| West do.   | 265       | 1         |        | Cussawago,          | 186    |    |    |
| Newlin,  | 161       | 1         |        | Beaver,             | 189    |    |    |
| New London,  | 279       | 1         |        | Conneautt,          | 162    |    |    |
| New Garden,  | 265       |           |        | Sadsbury,           | 254    |    |    |
| East Nottingham,   | 316       |           |        | Shenango,           | 296    |    |    |
| West do.   | 106       |           |        | Fallowfield,        | 222    |    |    |
| East Nantmell,   | 348       |           |        | Fairfield,          | 142    |    |    |
|  |           |           |        | Total in county,    | 3,034  |    |    |
|  |           |           |        | CAMBRIA COUNTY.     |        |    |    |
|  |           |           |        | Allegheny,          | 200    |    |    |
|  |           |           |        | Cambria,            | 200    |    |    |
|  |           |           |        | Clearfield,         | 76     |    |    |
|  |           |           |        | DELAWARE COUNTY.    |        |    |    |
|  |           |           |        | Conemaugh,          | 326    |    |    |
|  |           |           |        | Jackson,            | 66     |    |    |
|  |           |           |        | Summerhill,         | 158    |    |    |
|  |           |           |        | Susquehanna,        | 118    | 4  |    |
|  |           |           |        | Total in county,    | 1,144  | 4  |    |
|  |           |           |        | DAUPHIN COUNTY.     |        |    |    |
|  |           |           |        | Birmingham,         | 100    |    |    |
|  |           |           |        | Ridley,             | 279    |    |    |
|  |           |           |        | Upper Chichestr,    | 102    |    |    |
|  |           |           |        | Thornbury,          | 124    |    |    |
|  |           |           |        | Radnor,             | 257    |    |    |
|  |           |           |        | Marple,             | 171    |    |    |
|  |           |           |        | Darby,              | 233    |    |    |
|  |           |           |        | Haverford,          | 191    |    |    |
|  |           |           |        | Aston,              | 224    |    |    |
|  |           |           |        | Middletown,         | 228    |    |    |
|  |           |           |        | Nether Providence,  | 158    | 1  |    |
|  |           |           |        | Springfield,        | 144    |    |    |
|  |           |           |        | Edgmont,            | 170    |    |    |
|  |           |           |        | Upper Darby,        | 239    |    |    |
|  |           |           |        | Chester,            | 317    | 1  |    |
|  |           |           |        | Lower Chichester,   | 91     |    |    |
|  |           |           |        | Tinicum,            | 30     |    |    |
|  |           |           |        | Upper Providence,   | 160    |    |    |
|  |           |           |        | Bethel,             | 71     | 1  |    |
|  |           |           |        | Concord,            | 203    |    |    |
|  |           |           |        | Newtown,            | 141    |    |    |
|  |           |           |        | Total in county,    | 3,633  | 2  | 1  |
|  |           |           |        | ERIE COUNTY.        |        |    |    |
|  |           |           |        | Bor. of Harrisburg, | 795    |    |    |
|  |           |           |        | Upper Swatara,      | 205    |    |    |
|  |           |           |        | Rush,               | 8      |    |    |
|  |           |           |        | West Hanover,       | 493    |    |    |
|  |           |           |        | Derry,              | 392    |    |    |
|  |           |           |        | Mifflin,            | 251    | 1  |    |
|  |           |           |        | Middle Paxton,      | 286    |    |    |
|  |           |           |        | Upper Paxton,       | 294    | 2  |    |
|  |           |           |        | Lower Paxton,       | 286    |    |    |
|  |           |           |        | Lykens,             | 283    | 2  |    |
|  |           |           |        | Londonderry,        | 323    | 2  |    |
|  |           |           |        | Halifax,            | 444    |    |    |
|  |           |           |        | Lower Swatara,      | 316    | 1  |    |
|  |           |           |        | Susquehanna,        | 232    |    |    |
|  |           |           |        | Total in county,    | 4,602  | 8  |    |
|  |           |           |        | FAYETTE COUNTY.     |        |    |    |
|  |           |           |        | Union Borough,      | 273    |    |    |
|  |           |           |        | Union Township,     | 467    |    |    |
|  |           |           |        | Brideport,          | 141    |    |    |





| M'KEAN COUNTY.     |                |    |     | NORTHAMPTON COUNTY.    |        |    |   | West Southwark      |        |    |   |
|--------------------|----------------|----|-----|------------------------|--------|----|---|---------------------|--------|----|---|
| Townships.         | Taxa-<br>bles. | P  | Sta |                        |        |    |   |                     |        |    |   |
| Total in county,   | 307            |    |     | Allen                  | 417    | 3  |   | Penn township       | 2205   |    | 5 |
| MONTGOMERY COUNTY. |                |    |     | Borough of Easton      | 660    |    |   | East Kensington     | 1333   |    | 1 |
| Abington           | 300            | 1  |     | Bethlehem tp.          | 425    |    |   | West do.            | 1424   | 3  |   |
| Bor. of Norristown | 231            |    |     | Bushkill               | 277    |    |   | N. Liberties uninc. | 464    |    | 1 |
| Bor. of Pottstown  | 141            |    |     | Chesnut hill           | 215    | 1  |   | do. First Ward      | 749    |    |   |
| Cheltenham         | 213            |    |     | East Penn              | 222    | 1  |   | Second do.          | 623    | 2  |   |
| Douglass           | 205            |    |     | Forks                  | 389    |    |   | Third               | 881    | 1  |   |
| Franconia          | 190            |    |     | Hamilton               | 275    |    |   | Fourth              | 601    |    |   |
| Frederick          | 208            |    |     | Hanover                | 65     |    |   | Fifth               | 1183   | 1  |   |
| Gwynedd            | 286            |    |     | Lausanne               | 165    |    |   | Sixth               | 768    | 3  |   |
| Hatfield           | 211            |    |     | Lehigh                 | 333    |    |   | Seventh             | 740    | 2  |   |
| Horsham            | 267            | 1  |     | Lower Mt. Bethel       | 483    | 1  |   | Deaf&dumb taxabls   | 11     |    |   |
| Limerick           | 315            | 1  |     | Lower Nazareth         | 223    |    |   | Total in county     | 20,739 | 27 | 5 |
| Lower Salford      | 167            | 1  |     | Lower Saucon           | 446    |    |   | PIKE COUNTY.        |        |    |   |
| Lower Providence   | 237            |    |     | Mauch Chunk            | 262    |    |   | Delaware            | 183    |    |   |
| Lower Merion       | 522            | 2  |     | Moore                  | 398    |    |   | Lackawaxen          | 117    |    |   |
| Marlborough        | 197            |    |     | Plainfield             | 233    |    |   | Smithfield, upper   | 253    | 1  |   |
| Moreland           | 388            |    |     | Pocono                 | 94     | 2  |   | Smithfield, m dle   | 249    |    |   |
| Montgomery         | 171            |    |     | Ross                   | 140    |    |   | Palmyra             | 90     | 1  |   |
| New Hanover        | 323            | 2  |     | Smithfield             | 194    |    |   | Total in county     | 892    | 2  |   |
| Norriton           | 245            | 1  |     | Stroud                 | 275    | 1  |   | PERRY COUNTY.       |        |    |   |
| Plymouth           | 228            |    |     | Towamensing            | 238    |    |   | Toboyne             | 461    | 2  | 1 |
| Perkiomen          | 252            | 1  |     | Upper Nazareth         | 164    |    |   | Tyrone              | 537    | 2  | 1 |
| Pottsgrove         | 252            |    |     | Upper Mt. Bethel       | 450    |    |   | Saville             | 287    | 1  |   |
| Springfield        | 166            |    |     | Williams               | 339    |    |   | Junata              | 407    | 2  |   |
| Towamencin         | 163            |    |     | Total in county        | 7,382  | 9  |   | Wheatfield          | 384    |    |   |
| Upper Dublin       | 293            |    |     | NORTHUMBERLAND COUNTY. |        |    |   | Rye                 | 162    |    |   |
| Upper Merion       | 360            | 1  |     | Boro' of Sunbury       | 293    | 1  |   | Buffaloe            | 281    |    |   |
| Upper Hanover      | 258            | 2  |     | Angusta                | 450    | 3  |   | Greenwood           | 189    |    |   |
| Upper Providence   | 326            | 1  |     | Shamokin               | 362    |    |   | Liverpool           | 252    |    |   |
| Upper Salford      | 250            |    |     | Rush                   | 245    | 1  |   | Total in county     | 2,980  | 5  | 2 |
| Whitpain           | 249            | 1  |     | Turbut                 | 636    | 1  |   | POTTER COUNTY.      |        |    |   |
| White marsh        | 379            | 2  |     | Borough of Milton      | 272    |    |   | Eulalia             | 59     |    |   |
| Worcester          | 249            |    |     | Chillisquaque          | 279    |    |   | Whurton             | 22     |    |   |
| Total in county    | 8,242          | 17 |     | Point                  | 327    |    |   | Harrison            | 104    |    |   |
| MIFFLIN COUNTY.    |                |    |     | Little Mahonoy         | 105    | 2  |   | Sweden              | 29     |    |   |
| Bor. of Lewistown  | 292            |    |     | Upper do.              | 307    |    |   | Roulet              | 33     |    |   |
| Derry              | 367            |    |     | Lower do.              | 307    |    |   | Total in county     | 247    |    |   |
| Armagh             | 428            | 1  |     | Total in county        | 3,583  | 8  |   | SOMERSET COUNTY.    |        |    |   |
| Union              | 343            | 2  |     | PHILADELPHIA CITY.     |        |    |   | Somerset borough    | 126    |    |   |
| Wayne              | 429            |    |     | Upper Delaware         | 1216   | 1  |   | Somerset township   | 475    |    |   |
| Decatur            | 135            |    |     | Lower do.              | 1501   | 5  |   | Milford             | 340    |    |   |
| Fermanagh          | 409            |    |     | North Mulberry         | 1011   |    |   | Turkeyfoot          | 199    |    |   |
| Walker             | 401            |    |     | South do.              | 1051   | 1  |   | Addison             | 234    |    |   |
| Greenwood          | 520            |    |     | North                  | 1393   | 1  |   | Brothers valley     | 378    |    |   |
| Milford            | 293            |    |     | High                   | 915    | 1  |   | Elklick             | 241    |    |   |
| Turbett            | 242            | 1  |     | Chesnut                | 821    |    |   | Jenner              | 208    |    |   |
| Tuscarora          | 195            | 3  |     | Middle                 | 774    |    |   | Southampton         | 126    |    |   |
| Lack               | 145            |    |     | Walnut                 | 1117   | 1  |   | Allegheny           | 95     |    |   |
| Total in county    | 4,199          | 6  | 1   | South                  | 599    | 3  |   | Greenville          | 107    |    |   |
| MERCER COUNTY.     |                |    |     | Dock                   | 863    |    |   | Shade               | 222    |    |   |
| Sandy Lake         | 143            |    |     | Locust                 | 1364   | 5  |   | Quemahoning         | 190    |    |   |
| Slippery rock      | 258            |    |     | Pine                   | 1020   | 3  |   | Stony creek         | 175    |    |   |
| Salem              | 194            |    |     | New Market             | 1452   |    |   | Conemaugh           | 130    |    |   |
| French creek       | 78             |    |     | Cedar                  | 1446   | 77 |   | Add female taxabls  | 94     |    |   |
| Cool Spring        | 178            |    |     | Deaf&dumb taxabls      | 14     |    |   | Total in county     | 3,340  |    |   |
| West Salem         | 340            |    |     | Total in city          | 16,556 | 97 | 1 | SUSQUEHANNA COUNTY. |        |    |   |
| Pymatuning         | 203            |    |     | PHILADELPHIA COUNTY.   |        |    |   | New Mifford         | 152    |    |   |
| Sandy creek        | 165            |    |     | Byberry                | 226    | 2  |   | Choconut            | 130    |    |   |
| Mercer             | 129            |    |     | Moreland,              | 103    |    |   | Montrose borough    | 84     |    |   |
| Mahoning           | 399            |    |     | Lower Dublin           | 589    | 1  |   | Gibson              | 196    |    |   |
| Springfield        | 180            |    |     | Oxford                 | 751    | 1  | 1 | Silver Lake         | 81     |    |   |
| Neshanock          | 316            |    |     | Bristol                | 347    | 1  |   | C lifford           | 157    |    |   |
| Delaware           | 169            |    |     | Germantown             | 1032   |    |   | Springville,        | 213    |    |   |
| Lackawanoek        | 215            |    |     | Roxborough             | 642    |    |   | Herrick             | 88     |    |   |
| Wolf creek         | 229            |    |     | Blockley               | 742    |    |   | Great Bend          | 114    |    |   |
| Shenango           | 294            |    |     | Kingsessing            | 241    |    |   |                     |        |    |   |
| Total in county    | 3,490          | 1  |     | Passyunk               | 262    | 3  |   |                     |        |    |   |
|                    |                |    |     | Moyamensing            | 1766   |    |   |                     |        |    |   |
|                    |                |    |     | East Southwark         | 1587   | 3  | 1 |                     |        |    |   |

| Townships.         | Taxables. | debt | Slaves | Franklin borough     | 1888  | Damascus            | 1888  |   |
|--------------------|-----------|------|--------|----------------------|-------|---------------------|-------|---|
| Harford            | 173       |      |        | Irwin                | 143   | Lebanon             | 58    |   |
| Jackson            | 101       |      |        | Plum                 | 71    | Mountpleasant       | 227   |   |
| Auburn             | 65        |      |        | Pinegrove            | 71    | Canaan              | 187   |   |
| Brooklyn           | 187       |      |        | Rockland             | 126   | Dyberry             | 232   |   |
| Bridgewater        | 381       |      |        | Richland             | 130   | Bethany borough     | 59    |   |
| Middletown         | 114       | 2    |        | Saubgrass            | 210   | Berlin              | 37    |   |
| Lawsville          | 129       |      |        | Sugar creek          | 265   | Palmyra             | 76    |   |
| Lenox              | 74        |      |        | Tionesta,            | 134   | Salem               | 117   |   |
| Rush               | 102       |      |        | Total in county      | 1,930 | Sterling            | 84    |   |
| Harmony            | 53        |      |        |                      | 12    | Total in county     | 1,381 |   |
| Total in county    | 2,594     | 2    |        |                      |       |                     | 1     |   |
| SCHUYLKILL COUNTY. |           |      |        | WARREN COUNTY.       |       |                     |       |   |
| Brunswick          | 371       | 1    | 2      | Brokenstraw          | 163   | YORK COUNTY.        |       |   |
| Manheim            | 315       | 2    |        | Columbus             | 88    | Chanceford          | 270   |   |
| Wayne              | 247       | 1    |        | Conewango            | 210   | Conowago            | 221   |   |
| Pinegrove          | 217       | 1    |        | Deerfield            | 71    | Codorus             | 505   |   |
| Lower Mahantongo   | 225       | 5    |        | Kenjua               | 64    | Lower Chanceford    | 216   |   |
| Upper Mahantongo   | 191       |      |        | Pine Grove           | 134   | Dover               | 400   |   |
| Barry              | 73        |      |        | Spring creek         | 57    | Franklin            | 224   |   |
| Schuylkill         | 93        |      |        | Sugar Grove          | 133   | Fawn                | 174   |   |
| Rush               | 72        |      |        | Total in county      | 920   | Fairview            | 569   |   |
| Union              | 93        |      |        |                      | 1     | Hanover borough     | 185   |   |
| West Penn          | 262       |      |        |                      | 1     | Hopewell            | 370   |   |
| Orwigsburg boro'   | 139       |      |        | WASHINGTON COUNTY.   |       |                     |       | 2 |
| Norwegian          | 417       |      |        | Amwell               | 359   | Heidelberg          | 286   |   |
| Total in county    | 2,715     | 10   | 2      | Bethlehem East       | 535   | Hellam              | 348   |   |
| TIOGA COUNTY.      |           |      |        | Bethlehem West       | 589   | West Manchester     | 255   |   |
| Sullivan           | 185       |      |        | Buffaloe             | 340   | Manheim             | 302   |   |
| Liberty            | 165       |      |        | Bor. of Washington   | 325   | Manchester          | 505   |   |
| Lawrence           | 140       |      |        | Cross creek          | 438   | Monaghan            | 148   |   |
| Delmar             | 135       |      |        | Canton               | 241   | Newburg             | 385   |   |
| Elkland            | 116       |      |        | Cecil                | 240   | Paradise            | 406   |   |
| Tioga              | 100       |      |        | Chartiers            | 399   | Peach Bottom        | 204   |   |
| Richmond           | 100       |      |        | Donegall             | 470   | Shrewsbury          | 394   |   |
| Rutland            | 98        |      |        | Fallowfield          | 383   | Spring Garden       | 276   |   |
| Jackson            | 87        |      |        | Finley               | 406   | Washington          | 247   |   |
| Charleston         | 86        |      |        | Hopewell             | 431   | Warrington          | 263   |   |
| Deerfield          | 71        |      |        | Hanover              | 247   | Windsor             | 481   |   |
| Shippen            | 69        |      |        | Mt. Pleasant         | 278   | Bor. of York, North |       |   |
| Covington          | 67        |      |        | Morris               | 383   | Ward,               | 373   |   |
| Middlebury         | 67        |      |        | Nottingham           | 348   | Do. South Ward      | 470   |   |
| Westfield          | 65        |      |        | Peters               | 259   | York township       | 239   |   |
| Brookfield         | 60        | 1    |        | Pike Run             | 357   | Total in county     | 8,526 |   |
| Morris             | 12        |      |        | Robinson             | 188   |                     | 22    |   |
| Chatham            | 12        | 2    |        | Smith                | 398   |                     | 3     |   |
| Total in county    | 1,635     | 3    |        | Somerset             | 259   |                     |       |   |
| UNION COUNTY.      |           |      |        | Strabane             | 461   |                     |       |   |
| East Buffaloe      | 548       |      | 1      | Total in county      | 8,134 |                     | 10    |   |
| West Buffaloe      | 415       |      |        |                      | 5     |                     | 5     |   |
| Kelley             | 129       |      |        | WESTMORELAND COUNTY. |       |                     |       |   |
| Centre             | 350       |      |        | Greensburg boro'     | 144   |                     | 1     |   |
| White Deer         | 221       |      |        | Hempfield            | 701   |                     | 5     |   |
| Chapman            | 221       | 1    | 1      | Unity                | 548   |                     | 3     |   |
| Perry              | 200       |      |        | Mountpleasant        | 433   |                     | 3     |   |
| Union              | 361       | 2    |        | Donegall             | 337   |                     | 3     |   |
| Washington         | 210       |      |        | Ligonier             | 372   |                     | 4     |   |
| Penns              | 429       |      |        | Fairfield            | 288   |                     | 1     |   |
| Hartley            | 329       |      |        | Derry                | 613   |                     | 1     |   |
| Beaver             | 359       |      |        | Salem                | 440   |                     | 1     |   |
| Total in county    | 3,772     | 3    | 2      | Washington           | 354   |                     | 1     |   |
| VENANGO COUNTY.    |           |      |        | Allegheny            | 291   |                     | 3     |   |
| Allegheny          | 120       |      |        | Franklin             | 405   |                     | 7     |   |
| Beaver             | 115       | 2    |        | North Huntington     | 564   |                     | 1     |   |
| Cherry tree        | 90        |      |        | Rostraver            | 342   |                     | 1     |   |
| Elk                | 115       |      |        | South Huntington     | 385   |                     | 4     |   |
| French creek       | 237       | 1    |        | East Huntington      | 299   |                     | 4     |   |
| Total in county    | 1,000     | 3    |        | Total in county      | 6,516 |                     | 26    |   |
| WAYNE COUNTY.      |           |      |        |                      |       |                     |       |   |
| Allegheny          | 120       |      |        | Scott                | 44    |                     |       |   |
| Beaver             | 115       | 2    |        | Preston              | 50    |                     |       |   |
| Cherry tree        | 90        |      |        | Buckingham           | 40    |                     |       |   |
| Elk                | 115       |      |        | Manchester           | 42    |                     |       |   |
| French creek       | 237       | 1    |        |                      |       |                     |       |   |

## GENERAL TABLE.

List of Taxable Inhabitants, Slaves and Deaf and Dumb persons in the several Counties in the Commonwealth of Pennsylvania, from the returns made to the Governor by the Commissioners of the respective counties, for the years 1814, 1821 and 1828.

|    | COUNTIES.                  | Taxables 1814 | Taxables 1821 | D. & D. | Slaves. | Taxables 1828 | D. & D. | Slaves. |
|----|----------------------------|---------------|---------------|---------|---------|---------------|---------|---------|
| 1  | Adams, . . .               | 2979          | 3852          | 11      | 24      | 4192          | 11      | 8       |
| 2  | Allegheny, . . .           | 5538          | 6969          | 10      | 10      | 10236         | 24      | 1       |
| 3  | Armstrong, . . .           | 1454          | 2089          | 5       | —       | 3257          | —       | —       |
| 4  | Beaver, . . .              | 2398          | 3120          | —       | 1       | 4208          | —       | —       |
| 5  | Bedford, . . .             | 3351          | 4045          | 14      | 2       | 4442          | —       | —       |
| 6  | Bradford, . . .            | 1493          | 2277          | 6       | 4       | 3365          | —       | —       |
| 7  | Berks, . . .               | 7390          | 8896          | 24      | 4       | 10202         | 11      | 2       |
| 8  | Butler, . . .              | 1491          | 2022          | 8       | 4       | 2810          | —       | —       |
| 9  | Bucks, . . .               | 7066          | 8300          | 17      | 6       | 9076          | 21      | 3       |
| 10 | Chester, . . .             | 8072          | 9171          | 14      | 6       | 10231         | 14      | 7       |
| 11 | Cumberland, . . .          | 5971          | 5048          | 22      | 25      | 5342          | 25      | 14      |
| 12 | Columbia, . . .            | 3349          | 3459          | 10      | 1       | 3521          | 4       | —       |
| 13 | Centre, . . .              | 2155          | 2820          | 11      | 1       | 3618          | 11      | —       |
| 14 | Clearfield, . . .          | 264           | 584           | —       | —       | 892           | 4       | —       |
| 15 | Crawford, . . .            | 1184          | 2000          | —       | —       | 3034          | —       | —       |
| 16 | Cambria, . . .             | 521           | 757           | 1       | —       | 1144          | 4       | —       |
| 17 | Delaware, . . .            | 2661          | 2856          | 3       | 2       | 3633          | 2       | 1       |
| 18 | Dauphin, . . .             | 3348          | 4235          | 6       | 11      | 4602          | 9       | —       |
| 19 | Erie, . . .                | 858           | 1973          | 14      | 2       | 2867          | —       | —       |
| 20 | Franklin, . . .            | 4493          | 5841          | 8       | 10      | 6095          | —       | —       |
| 21 | Fayette, . . .             | 4579          | 5372          | 9       | 31      | 5897          | 11      | 9       |
| 22 | Green, . . .               | 2412          | 2612          | 9       | 5       | 3141          | 6       | 5       |
| 23 | Huntingdon, . . .          | 3502          | 4281          | 13      | 2       | 5009          | 12      | 2       |
| 24 | Indiana, . . .             | 1363          | 1923          | —       | —       | 2732          | 4       | —       |
| 25 | Jefferson, . . .           | 35            | 137           | —       | —       | 356           | 3       | 1       |
| 26 | Lancaster, . . .           | 11346         | 13560         | 39      | 14      | 14991         | 17      | 4       |
| 27 | Lebanon, . . .             | 2696          | 3228          | 4       | 3       | 3563          | 3       | 1       |
| 28 | Lehigh, . . .              | 2902          | 3763          | 18      | —       | 4321          | 20      | —       |
| 29 | Luzerne, . . .             | 2379          | 3540          | 11      | —       | 4482          | —       | —       |
| 30 | Lycoming, . . .            | 1858          | 2836          | 6       | 3       | 3081          | —       | —       |
| 31 | McKean, . . .              | 63            | 211           | —       | —       | 307           | —       | —       |
| 32 | Montgomery, . . .          | 6221          | 7437          | 17      | 2       | 8242          | 17      | —       |
| 33 | Mifflin, . . .             | 3063          | 3656          | 7       | 2       | 4199          | 6       | 2       |
| 34 | Mercer, . . .              | 1734          | 2440          | 3       | —       | 3490          | 1       | —       |
| 35 | Northampton, . . .         | 4523          | 5646          | 3       | —       | 7382          | 9       | —       |
| 36 | Northumberland, . . .      | 1687          | 3037          | 10      | 1       | 3581          | —       | —       |
| 37 | Philadelphia City, . . .   | 9383          | 12696         | 38      | 7       | 16556         | 97      | 1       |
| 38 | Philadelphia County, . . . | 10486         | 15196         | —       | 4       | 20750         | 27      | 5       |
| 39 | Pike, . . .                | 473           | 690           | 1       | 3       | 892           | 2       | —       |
| 40 | Perry, . . .               | *             | 2430          | 6       | 4       | 2980          | 5       | —       |
| 41 | Potter, . . .              | †             | 50            | —       | —       | 247           | —       | —       |
| 42 | Somerset, . . .            | 2191          | 2925          | 13      | 4       | 3344          | —       | —       |
| 43 | Susquehanna, . . .         | 1242          | 1929          | 1       | —       | 2594          | 2       | —       |
| 44 | Schuylkill, . . .          | 1614          | 2045          | 7       | 1       | 2715          | 10      | 2       |
| 45 | Tioga, . . .               | 455           | 810           | 3       | 2       | 1635          | 3       | —       |
| 46 | Union, . . .               | 2772          | 3620          | —       | —       | 3772          | 3       | —       |
| 47 | Venango, . . .             | 673           | 1050          | 1       | —       | 1930          | 12      | —       |
| 48 | Warren, . . .              | 216           | 524           | 3       | —       | 920           | —       | —       |
| 49 | Washington, . . .          | 6780          | 7345          | 29      | 4       | 8134          | 10      | 5       |
| 50 | Westmoreland, . . .        | 5370          | 6176          | 24      | 7       | 6516          | 26      | 4       |
| 51 | Wayne, . . .               | 551           | 979           | —       | —       | 1381          | —       | —       |
| 52 | York, . . .                | 6772          | 7983          | 26      | 12      | 8526          | 22      | 3       |
|    |                            |               | 210,441       | 485     | 224     | 254,182       | 468     | 79      |

\* Attached to Cambria.

† No returns.

Co compiled by JOHN FULKROD, Esq.

REAMSTOWN, Dec. 5.

GREENSBURG, Pa. Dec. 4.

*Discovery of Anthracite Coal in Lancaster County.*—Our town has been quite enlivened for the last few days by an important discovery which has been made in this neighborhood. A mine of Anthracite Coal has been discovered, and several large veins have been opened; specimens of which have been sent to experienced judges, and by them tried and pronounced to be inferior to none in the state.

From present appearances, I am induced to believe that this town will become one of the first places for business in the county; being about midway between Lancaster and Reading, both of which places can ere long be abundantly supplied from our mines.

*Storm.*—On Monday last this county was visited by a tremendous storm of wind, rain and hail, accompanied with thunder and lightning, which did a great deal of damage. As far as we have heard, its principal force was to the south and east of this place—unroofing dwelling houses and barns, and levelling fences to the ground. We have not heard of any lives being lost, or any person or cattle being injured.

The New Jersey and Pennsylvania Commissioners closed their proceedings on Saturday evening, and finally executed the treaty or agreement relative to the waters of the Delaware.

## ABSTRACT OF THE

## PROCEEDINGS OF THE LEGISLATURE.

## SENATE.

*Nov. 23.*—Assistant door-keeper to be employed at \$1 00 per day.

*Nov. 24.*—Bill relative to division of Pittsburgh into four wards, read a third time and passed.

*Nov. 25.*—Petition from Treasurer of Mercer county, praying that the state treasurer may receive notes of the Westmoreland Bank in payment of debts. Petition from Northern Liberties, for incorporation of "The Manufacturer's Bank," referred to committee on banks.

Mr. Sullivan offered the following resolution.

Whereas it is understood that a horse-race is expected to take place this day, in the vicinity of the seat of Government; And whereas the laws, and the moral sense of the community, have declared that horse racing is a common nuisance, and offence against this state; Therefore,

*Resolved*, That such an attempt is an insult to the representatives of the people, and merits the decided disapprobation and reprehension of the members of the Senate; And further, that the members will not, either directly or indirectly countenance such an offence against the laws, and the moral sense of their constituents.

Mr. Duncan and Mr. Burden opposed, and Mr. Sullivan and Mr. Brown supported the resolution. Mr. Burden moved its indefinite postponement, which was agreed to, yeas 21, nays 5.

*Nov. 26.*—Petition from contractors on Delaware division of Pennsylvania canal, praying for provision to be made for payment of interest on certificates issued by acting canal commissioners and superintendents, referred to committee on bridges, &c. Mr. Burden presented a petition from citizens of Spring Garden, for an alteration of the time for holding elections of commissioners, referred to the county members.

*Nov. 27.*—Mr. Scott offered resolution respecting adjournment from 28th Nov. to 14th Dec. disagreed to on 28th.

*Nov. 30.*—Petition relative to improvement of the Monongahela presented; also from Berks county, praying road laws to be altered. Three petitions from Spring Garden, on change of time of election.

*Dec. 1.*—Senate concurred in amendments to the bill of Schuylkill Navigation company.

*Dec. 2.*—Resolution adopted, judiciary committee to inquire into the expediency and propriety of allowing certificates given by the acting canal commissioners, &c. to bear an interest of five per cent. from date till paid. Resolution adopted for appointment of joint committees to fix time and place of opening and publishing the returns of Governor's election—Messrs. Ray, Ringold and Hunt, committee. Bill authorising loan from certain banks, considered in committee of the whole, and reported without amendment.

## HOUSE OF REPRESENTATIVES.

*Nov. 24.*—Bill supplementary to the charter of Schuylkill Navigation company, ordered to be prepared for a third reading. Bill for furtherance of justice between obligors and obligees, &c. considered in committee of the whole, postponed till 14th December.

*Nov. 25.*—Petition for improving road from top of Alleghany mountain to Virginia line, referred; also for opening and improving state road from Pennsylvania canal to Kiskiminetas salt works; also petition from Susquehannah county, for creation of a fund for support of a system of a common school education on a permanent basis, referred; also petition respecting Manufacturers Bank of Northern Liberties; also from Washington Bank, praying longer time to close its affairs; also for incorporation of Theological Seminary of German Reformed church; also for incorporation of Horticultural Society. Committee appointed on resolutions from

Missouri, respecting power of Congress in regard to American Colonization Society.

Mr. Bushfield offered the following resolution.

Whereas, it is notoriously known, that the statute law of this Commonwealth against horse racing, is to be violated this day, in the vicinity of Harrisburg, and almost under the eye of the Legislature; and whereas, attempts have failed to prosecute persons to conviction, for similar offences within this commonwealth—Therefore,

*Resolved*, That the committee on the Judiciary system be instructed to inquire whether any, and if so, what alteration is necessary in the law against horse racing, so as effectually to prevent that pernicious practice.

Mr. Moore, of Beaver, moved to amend the same by striking out Judiciary committee and inserting the committee on vice and immorality, which was agreed to. The resolution as amended, was passed, and the preamble negatived.

Mr. Craft offered a resolution for committee of Ways and Means to inquire into the propriety of creating by law, an officer, to be called "The Secretary of the Treasury," whose duty shall be to digest and prepare a report on the subject of the finances, &c. He spoke at length in favor of it. Mr. Petriken opposed, as did also Mr. Waugh. It was postponed till Monday, on motion of Mr. Ellis.

The following resolution, offered by Mr. Sloan, was adopted.

*Resolved*, That the committee on bridges, and state and turnpike roads, be instructed to inquire into the expediency of passing a law, limiting all public roads that may be hereafter laid out within this commonwealth, so that the vertical departure from a horizontal line, shall at no point exceed five degrees, except only at the crossing of ravines and streams, whereby moderate filling or bridging the declination of the road, may be preserved within that limit.

Schuylkill Navigation Company bill read a third time and passed.

*Nov. 26.*—Petition from firemen of Philadelphia, praying for exemption of their engine houses from taxation, referred to Philadelphia members. Petition from Franklin county, praying for the passage of a law to prevent the retailing of domestic liquors by those who have no license; by a less quantity than five gallons, and to prevent granting of tavern licenses, except for the accommodation of travellers, referred to committee on vice and immorality. Petition for a ferry across west branch of Susquehannah, at Great Island; from contractors on north and west branch canal for interest on certificates. Committee on judiciary reported a bill on elections; the first section is as follows.

**SECT. 1** Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That every person claiming the right to vote at the General and Special elections as a naturalized citizen, alleging that he has been naturalized conformably to the laws of the United States, shall produce as evidence of having been naturalized as aforesaid, a certificate thereof under the seal of the court wherein such naturalization took place if required by any judge or inspector of such elections, or shall be examined upon oath or affirmation, & if by such certificate or examination as aforesaid, it shall appear that he had been naturalized conformably to the laws of the United States, and is otherwise qualified, his vote shall be received, any thing in the first section of the act to which this is a supplement, to the contrary notwithstanding.

Bill authorising a loan from certain Banks passed through committee of the whole—bill for erecting Juniata Co. reported by Chairman without amendment.

*Nov. 27.*—Mr. Wilkins from committee on corporations reported unfavourably to the incorporation of the

Horticultural society—praying to be discharged, which was postponed on motion of Mr. Morris—as follows:

Mr. Wilkins; from the committee on corporations, to whom was referred the petition of the Pennsylvania Horticultural society, made the following report. That they have given to the subject their deliberate consideration. It is asked of the legislature to pass a law, incorporating a society; for the encouragement of Horticulture. When your committee reflect on the numerous incorporations that are now in legal existence in the commonwealth of Pennsylvania, having in view the attainment of objects, if of any good to society, could be accomplished by individual exertion and enterprise; and the many powers, rights, capacities and privileges necessarily incident to all such institutions; they feel anxious to proceed with caution, before they would recommend the passage of any law, increasing their number.

It is the policy of this government, to give equal encouragement to all her citizens in the pursuit of their lawful business; and to deny to associations of individuals, powers and immunities, which place them above individual capital and enterprise, and tend to destroy honorable and fair competition. So far only as *public necessity*, or benevolent and religious intervention, require the immunity of a corporation, would your committee be willing to recommend it: and even in these cases, with certain restrictions and limitations. But, in the present case referred to their consideration, the design, however praiseworthy, is dangerous as a precedent, and the encouragement required, could be obtained, your committee believe, without the aid of an act of incorporation.

These institutions, when once life is given to them by the creative power of the legislature, have perpetual succession; the power of suing in their corporate name; and the privilege of making contracts and incurring debts; for which, the individuals that compose it, are not in their persons and estates liable, but suits must be brought against the corporation, and all judgments satisfied by the proceeds of the estate of the corporation alone. This power should only be bestowed when public necessity requires it, to accomplish a great public good. The legislature might as well incorporate a partnership of merchants, a company to navigate the public canal, or an association of agriculturists to carry on more effectually the business of farming, as grant the prayer of the petitioners. They therefore offer the following resolution.

*Resolved*, That the committee be discharged from the further consideration of the subject.

Committee reported a bill extending the time for closing affairs of Washington Bank. Mr. Mallary reported a bill from Committee of ways and means, authorising the Governor to sell Philada. Bank stock as follows:

An act to authorise the governor to sell to the Philadelphia Bank the stock of said Bank, held by the Commonwealth, and for other purposes.

SECT. 1. Be it enacted by the Senate and House of Representatives, of the Commonwealth of Pennsylvania, in General assembly met, and it is hereby enacted by the authority of the same, That the governor of the commonwealth, be and he is hereby authorised to sell and transfer to the "Philadelphia Bank," the shares of the capital stock, held and owned by the Commonwealth in said bank, upon receiving from the said Bank the original subscription price of said stock, and interest thereon from the date of the last dividend, at the rate of five per centum for the year. The amount thus received to be paid to the commissioners of the internal improvement fund, to be applied to canal and rail road purposes.

SECT. 2. And be it further enacted by the authority aforesaid, That the act entitled, "An act to extend the character of the Philadelphia Bank," approved the twenty-eighth day of March, one thousand eight hundred and twenty-three, be and is hereby extended for

and during the term of ten years, from and after the first day of May, eighteen hundred and thirty-nine, as fully and effectually, as if this limitation had been contained in said act.

SECT. 3. And be it further enacted by the authority aforesaid, That from and after the passage of this act, and the completion of the sale aforesaid, the capital stock of the Philadelphia bank, shall not exceed one million two hundred and seventy thousand dollars.

Mr. Parke's resolutions, offered yesterday, were read a second time, requiring state treasurer, auditor general, canal commissioners, commissioners of internal improvement fund, &c. to anticipate their usual time of reporting, which were agreed to as relates to the auditor, state treasurer, and improvement fund.

Nov. 28.—Message from governor, with correspondence relating to continuation of temporary loans, "by which it appears that the Philadelphia Bank, the Banks of Lancaster, Schuylkill, Montgomery county, Penn Township, United States, North America, York, Reading, Commercial banks, Insurance company of Pennsylvania, and Union Insurance company, are willing to continue, and that the Banks of Pennsylvania, Harrisburg, Chambersburg and Stephen Girard are unwilling."

Nov. 30.—Several petitions for roads and turnpike appropriations, and subscriptions to stock; proposition to adjourn from 18th Dec. to 7th January, laid on table; as was also a resolution granting gratuity of \$40 on all revolutionary claims, where six months service in the militia is proven as well as the indigence of the applicant. Resolution adopted as amended by Mr. Wagner, appointing "secretary of treasury," by adding, "or charge such duties upon some one of the existing officers, &c." Resolution on division of Mifflin county, on second reading, on which there was considerable discussion.

## DOCUMENTS

*Accompanying the Governor's Message.*

*Continued from page 364.*

*Correspondence on the subject of the Permanent Loan under act of the 18th December, 1828.*

1. Secretary's proposals.

*Secretary's Office,  
Harrisburg, Dec. 22d 1828.*

Pennsylvania Canal and Rail-road Loan.

Notice is hereby given, that agreeable to an act of the General Assembly, passed the 18th day of December 1828, authorising a loan for the continuation of the Pennsylvania Canal and Rail-road, proposals will be received at the office of the secretary of the commonwealth, until five o'clock, P. M. of the 20th day of January next, for lending to the commonwealth, for canal and rail road purposes, the sum of eight hundred thousand dollars, the principal to be reimbursable by the state at any time after the first day of December eighteen hundred and fifty-four. Certificates of stock transferable at the pleasure of the holder, according to law, bearing an interest of five per centum per annum, payable half yearly, either at the treasury office or the Bank of Pennsylvania, will be issued by direction of the Governor. The proposals will state not only the sum offered to be loaned, but the amount of premium proposed to be given, for every hundred dollars of stock bearing an interest of five per cent. as aforesaid. The state reserves the right to accept the whole, or any part of the sums offered, unless the proposals stipulate to the contrary. The money loaned will be required by the state as follows:

\$266,500 on the 1st day of February next,

266,500 on the 1st day of March next,

267,000 on the 1st day of April next.

When proposals are only for a part of the whole sum to be borrowed, it will be proper to state in them, for which of the instalments they are made, and whether to be confined to that instalment only, otherwise it will be considered discretionary, with the Governor, to apply

the same to either of the instalments. No offer to loan a less sum than one thousand dollars will be received. Persons who shall propose giving the highest premium, although they shall offer to loan sums less than the whole amount to be borrowed, shall be entitled to stock for the amount by them offered to be loaned, on the terms most favourable to the lenders, that shall be accepted from others. The proposals to be directed under seal to the secretary's office endorsed, "Proposals for canal and rail-road loan," and they will not be opened or disclosed until the period has elapsed for receiving them, after which no alterations in the terms will be admitted.

C. BLYTHE,

*Secretary of the Commonwealth.*

2. Jno. M. Irwin, Philadelphia, proposes to take 11,000 53 cts. at 5 per cent. per annum. provided, they will receive in payment a transfer at par or less a certificate of U. S. 4 $\frac{1}{2}$ . The state stock to bear interest from date of transfer of U. S. 4.

3. A letter from same—wishing if possible first instalment.

4. Letter from York Bank, declining to offer for the temporary loan but proposing to loan \$50,000 in the permanent loan.

5. Letter from Mr. Erwin of Erwinna, proposing to take stock to the amount of 5,000, in the loan of 800,000; neither asking nor offering a premium, but desirous of its being taken on the most favorable terms and that it make a part of the instalment to be paid on the 1st February.

6. An offer of Daniel Wagner, of Easton, to take \$10,000 payable on 1st April with a premium of one half per cent.

7. A letter offering \$5,000, on same terms.

8. Stephen T. Cooper, of York, proposing to take \$2,000 at one per cent.

9. An offer of John Forrey Jr. of Harrisburg, to loan \$3,000 at 5 per cent.

10. Letter from Geo. Stevenson formerly of Pittsburg, offering \$50,000 at  $\frac{1}{2}$  per cent. payable at three different times.

11. Alex. Benson of Philadelphia, will loan \$10,000, payable Feb'y. 1st, 10,000, 1st March, and 10,000, 1st April, at par; expecting to be placed on a footing with others who may get the whole or a part at a less price.

12. Mary and Sarah Johnson, wish to subscribe for \$2,500, at a premium of 2 per cent.

13. Hale and Davidson of Philadelphia, \$2,000 of first instalment at par.

14. Levi Ellmaker of Philadelphia, 2,000 at a premium of one per cent.

15. Thos. Biddle and S. & J. Nevins & co. of Philadelphia, will give par for 400,000 payable at such times as may best suit the state, not exceeding more than 1-3 on 1st February, or any proportion that may be awarded to them, if the bids exceed the whole amount offered to the public.

16. James Loyd of Philadelphia, 100,000 at a premium of two and a half per cent., payable on 1st of Feb'y. March and April—"under the expectation that if the loan be effected at a lower rate of premium than that which I have offered, the same rate will be accorded to me."

17. Letter from Geo. Thomas of Philadelphia, wishing to invest 20,000 payable on the 1st of March at par or without any premium; "I cannot accept any average for a premium above it, nor for any part less than the said 20,000."

18. Caleb Brinton, Junr. of West Chester, will loan 5,000 and will give a premium of 3 per cent.; will prefer first instalment; but is willing to have either of the others.

19. Isaac Wayne of Chester county, offers 1 $\frac{1}{2}$  per cent premium for 2,000, 1st April instalment.

20. James King of Philadelphia, 2,000 at the lowest offer of premium which shall be accepted, provided such premium does not exceed 5 per cent; first instalment.

21. Letter from Charles Smith of Lancaster, 31,000 at par, first April instalment; as his object is to sell out 6 per cent. stock of 815 to that amount.

22. Proposals from Thomas Biddle, S. & J. Nevins, & co. to take any balance of the loan that is left at par.

23. Letter from Secretary, to John W. Irwin, declining his proposals to exchange U.S. 4 $\frac{1}{2}$  stock for Pennsylvania loan.

22. Secretary accepts proposals of Biddle and Nevins for \$400,000 at par.

23. do do do of York Bank, for 50,000.

24. do do do of Charles Smith for 30,000 at par.

25. do do do of James Loyd 100,000 no prem.

26. do do do of G. Stevenson 50,000 no prem.

27. do do do of Alex. Benson 30,000 at par.

28. do do do of George Thomas 20,000 at par.

29. do do do of James King 2,000 at par.

30. do do do of Levi Ellmaker 2,000 at par.

31. do do do of Hale and Davidson 2,000 at par.

32. do do do of William Erwin 5,000 at par.

33. do do do of Caleb Brinton Jr. 5,000 at par.

34. do do do of Isaac Wayne 2,000 at par.

35. do do do of M. & S. Johnson, 2,500 at par.

36. do do do of John Forrey 3,000 at par.

37. do do do of Stephen T. Cooper, 2,000 at par.

38. do do do of David Nuxile, 5,000 at par.

39. do do do of Daniel Wagner 10,000 at par.

40. do do do of Biddle & Nevins 78,500 at par.

## INAUGURATION OF THE GOVERNOR ELECT

The committee appointed by the Senate and House of Representatives for the purpose, made the following report to their respective Houses. We give the report made to the Senate by Mr. Ray. The report to the House was made by Mr. Frick.

The committee appointed on the 2d instant to confer with a committee of the House of Representatives, respecting the time, place, and manner of ascertaining and declaring the returns of the election of Governor,

*Report*—That they have performed that service, and the joint committee have agreed to recommend the following arrangement to their respective Houses:

1. That the returns of the election for Governor shall be opened and published by the Speaker of the Senate, and in the presence of both Houses of the Legislature, on Tuesday next, at 11 o'clock in the forenoon, in the chamber of the House of Representatives, and that each House shall previously appoint one of its members a teller, to cast up the votes.

2. That upon the publication of the votes of Governor, by the Speaker of the Senate, a certificate of the election shall be signed by the Speaker of the Senate and the Speaker of the House of Representatives, in the following form, to wit, "We the Speaker of the Senate and the Speaker of the House of Representatives, do certify, that the Speaker of the Senate did on the day of December, in the year of our Lord, 1829, in the chamber of the House of Representatives in the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of the members of both Houses of the Legislature, conformably to the constitution of the said commonwealth, and that upon counting the votes by a teller appointed on the part of each House, it appeared that had a majority of votes; whereupon the said was declared to have been duly elected Governor of the said Commonwealth. In testimony whereof we have hereto set our hands and seals the day and year first above written."

3. That the said certificate shall be deposited by the Speaker of the Senate, in the office of the secretary of the commonwealth, and there recorded, and a duplicate thereof attested by the Speakers of both Houses, be transmitted to the Governor Elect.

4. That 12 o'clock, at noon, be the hour fixed for the inauguration of the Governor Elect, on Tuesday,



the 15th day of December, in the chamber of the House of Representatives.

5. That a committee of three members of the Senate and three members of the House of Representatives, be appointed to attend the Governor Elect, on Tuesday, the 15th inst. at his lodgings in the borough of Harrisburg, and accompany him to the hall of the House of Representatives, where the members of both Houses are convened, when the Speaker of the Senate, or in his absence, the Speaker of the House of Representatives, shall administer the usual oaths of office to the Governor elect, which being done, the Governor shall be publicly declared by the reading of a copy of said certificate of his election by the clerk of the Senate.

6. That a committee of three members of the Senate, and three members of the House of Representatives, be appointed to wait on the present Governor, and invite him to attend the inauguration of the Governor elect.

Mr. Hay was appointed teller on the part of the Senate—and Mr. Mallory teller on part of the House.

Messrs. Brown, Miller and Blythe were appointed a committee on the part of the Senate, and Messrs. Frick, Alexander and Newhard, on the part of the House, to attend the Governor elect.

Messrs. Reiff, Fullerton and Sullivan were appointed a committee on the part of the Senate, and Messrs. Workman, Riter and Wilkins on the part of the House, to wait on the present Governor, &c.

#### INDIAN REMAINS.

We have received from Doctor David Watson, of Bainbridge, in this county, several curiosities discovered in the neighborhood of that place, by the labourers employed on the Pennsylvania canal, among which are a stone tobacco pipe, very neatly formed, a rude tomahawk, a small brass basin, two keys, a small globular bell, and some broken pieces of Indian Pottery; but the greatest curiosity is the skull bone of an Indian, which materially differs in form from any that we have ever seen belonging to the human species. The skull is remarkably large, and of an oblong or oval form; the bones themselves of which it is composed have been very thin, much more so than is usually the case. What is very remarkable in the general outline of the skull is the peculiar manner in which the frontal bone, which forms the forehead, recedes from the root of the nose, & the superciliary ridges on which the eyebrows rest, and rather lies on the top of the head than juts over the rest of the face, as is usual. Thus there is no forehead, properly so called; the cranium in this respect presenting rather the appearance of the skull of a dog than a human being. The Choctaw tribe of Indians were formerly in the habit of flattening their heads in this manner, by binding metallic plates on the foreheads of their male children. A chief having this singular appearance, was in Philadelphia in the year 1796. Indians inhabiting the source of the Missouri are to this day in the habit of moulding their skulls into this form. The Incas or kings of Peru, and all those partaking of our being within a certain degree of consanguinity to them, (and they only,) were allowed to enjoy the imperial privilege of having their heads thus modelled. It may be worthy of observation, that this artificial conformation is not known in the slightest degree to impair the mental operation. The skull above mentioned is that of a male, probably about 45 or 50 years of age.

The whole have been presented to Mr. Landis, who has since received from John Hamilton, Esq. who resides near Bainbridge, an ornamented tobacco pipe, which has a human head rudely carved upon it, also some beads, and a curious bead, apparently made of clay, which is as hard as stone.—*Lancaster Gaz.*

**TRIBUTE TO MERIT.** The Lehigh Coal and Navigation Company have, through James Sinton, Esq. cashier of the Easton Bank, presented to Mr. Abiel Abbott, of South Easton, a handsome *silver pitcher*, as a testimonial

for his intrepidity, in rescuing from a watery grave, a lad named Jabez Corey, while in the employ of the company, on the 5th ultimo. The pitcher bears the following inscription.

#### PRESENTED

BY THE MANAGERS OF THE  
*Lehigh Coal and Navigation Company*

TO

ABIEL ABBOTT,

to show their sense of his humane and intrepid conduct  
in rescuing a youth from drowning  
in the River Lehigh,  
Nov. 1829.

#### FINANCES OF THE COMMONWEALTH.

Summary statement of the receipts and payments at the Treasury for the year commencing 1st December, 1828, and ending 30th November, 1829.

##### RECEIPTS.

|  |               |
|--|---------------|
| Lands and land office fees                     | 97,290 79     |
| Auction commissions                            | 19,000 00     |
| Auction duties                                 | 140,518 75    |
| Dividends on Bank stock                        | 121,289 00    |
| Dividends on bridge and turnpike stock         | 19,640 00     |
| Tax on bank dividends                          | 53,184 07     |
| Tax on offices                                 | 9,245 33      |
| Fees secretary of state's office               | 1,779 23      |
| Tavern licenses                                | 50,031 67     |
| Duties on dealers in foreign merchandise       | 62,607 92     |
| State maps                                     | 691 36        |
| Collateral inheritances                        | 10,742 19½    |
| Pamphlet laws                                  | 55 36         |
| Militia and exempt fines                       | 3,000 71      |
| Tin pedlars licenses                           | 210 00        |
| Escheats                                       | 74 24         |
| Commissioners of the internal improvement fund | 200,000 00    |
| Loans  | 2,811,238 38  |
| Old debts and miscellaneous                    | 9,738,38      |
|  | 3,610,338 02½ |
| Balance in the treasury 1st December, 1828     | 189,815 46½   |

\$3,800,153 49

##### PAYMENTS.

|                                       |                |
|---------------------------------------|----------------|
| Internal improvements                 | 3,049,893 01   |
| Expenses of government                | 218,393 85     |
| Militia expenses                      | 17,738 22      |
| Pensions and gratuities               | 27,800 32      |
| Education                             | 16,702 48      |
| Interest on loans                     | 91,725 00      |
| Internal improvement fund             | 168,787 18     |
| Pennsylvania claimants                | 978 92         |
| State Maps                            | 542 27         |
| Penitentiary at Philadelphia          | 6,000 00       |
| Penitentiary near Pittsburg           | 5,466 25       |
| Conveying convicts                    | 411 27         |
| Conveying fugitives                   | 287 58         |
| House of Refuge                       | 2,500 00       |
| Miscellaneous                         | 17,550 16      |
|                                       | 3,624,777 51   |
| Balance in the treasury 1st Dec. 1829 | 175,375 98     |
|                                       | \$3,800,153 49 |

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

VOL. IV.—NO. 25.

PHILADELPHIA, DEC. 19, 1829.

NO. 103.

*From the United States' Telegraph—Extra, Dec. 8.*

This day, at 12 o'clock the President of the United States communicated to both Houses of Congress the following

## MESSAGE.

*Fellow Citizens of the Senate,  
and House of Representatives:*

It affords me pleasure to tender my friendly greetings to you on the occasion of your assembling at the Seat of Government, to enter upon the important duties to which you have been called by the voice of our countrymen. The task devolves on me under a provision of the Constitution, to present to you, as the Federal Legislature of twenty-four sovereign States, and twelve millions of happy people a view of our affairs: and to propose such measures as in the discharge of my official functions, have suggested themselves as necessary to promote the objects of our Union.

In communicating with you for the first time, it is to me, a source of unfeigned satisfaction, calling for mutual gratulation and devout thanks to a benign Providence, that we are at peace with all mankind, and that our country exhibits the most cheering evidence of general welfare and progressive improvement. Turning our eyes to other nations, our great desire is to see our brethren of the human race secured in the blessings enjoyed by ourselves, and advancing in knowledge, in freedom, and in social happiness.

Our foreign relations, although in their general character pacific and friendly, presents subjects of difference between us and other Powers, of deep interest, as well to the country at large as to many of our citizens. To effect an adjustment of these shall continue to be the object of my earnest endeavours; and notwithstanding the difficulties of the task, I do not allow myself to apprehend unfavourable results. Blessed as our country is with every thing which constitutes national strength, she is fully adequate to the maintenance of all her interests. In discharging the responsible trust confided to the Executive in this respect, it is my settled purpose to ask nothing that is not clearly right, and to submit to nothing that is wrong; and I flatter myself, that, supported by the other branches of the Government, and by the intelligence and patriotism of the People, we shall be able, under the protection of Providence, to cause all our just rights to be respected.

Of the unsettled matters between the United States and other Powers, the most prominent are those which have for years been the subject of negotiation with England, France and Spain. The late periods at which our Ministers to those Governments left the United States, render it impossible at this early day, to inform you of what has been done on the subjects with which they have been respectively charged. Relying upon the justice of our views in relation to the points committed to negotiation, and the reciprocal good feeling which characterizes our intercourse with those nations, we have the best reason to hope for a satisfactory adjustment of existing differences.

With Great Britain, alike distinguished in peace and war, we may look forward to years of peaceful, honorable and elevated competition. Every thing in the condition and history of the two nations is calculated to

inspire sentiments of mutual respect, and to carry conviction to the minds of both, that it is their policy to preserve the most cordial relations. Such are my own views, and it is not to be doubted that such are also the prevailing sentiments of our constituents. Although neither time nor opportunity has been afforded for a full development of the policy which the present cabinet of Great Britain designs to pursue towards this country, I indulge the hope that it will be of a just and pacific character; and if this anticipation be realized, we may look with confidence to a speedy and acceptable adjustment of our affairs.

Under the Convention for regulating the reference to arbitration of the disputed points of boundary under the 5th article of the treaty of Ghent, the proceedings have hitherto been conducted in that spirit of candour and liberality which ought ever to characterize the acts of sovereign states, seeking to adjust, by the most unexceptionable means, important and delicate subjects of contention. The first statements of the parties have been exchanged, and the final replication on our part is in a course of preparation. This subject has received the attention demanded by its great and peculiar importance to a patriotic member of this confederacy. The exposition of our rights already made is such as, from the high reputation of the commissioners by whom it has been prepared, we had a right to expect. Our interest at the court of the sovereign who has evinced his friendly disposition, by assuming the delicate task of arbitration, have been committed to a citizen of the State of Maine, whose character, talents and intimate acquaintance with the subject eminently qualify him for so responsible a trust. With full confidence in the justice of our cause, and in the probity, intelligence and uncompromising independence of the illustrious arbitrator, we can have nothing to apprehend from the result.

From France, our ancient ally, we have a right to expect that justice, which becomes the Sovereign of a powerful, intelligent, and magnanimous People. The beneficial effects produced by the commercial convention of 1822, limited as are its provisions, are too obvious not to make a salutary impression upon the minds of those who are charged with the administration of her Government. Should this result induce a disposition to embrace, to their full extent, the wholesome principles which constitute our commercial policy, our Minister to that Court will be found instructed to cherish such a disposition, and to aid in conducting it to useful practical conclusions. The claims of our citizens for depredations upon their property, long since committed under the authority, and in many instances, by the express direction of the then existing Government of France, remain unsatisfied; and must therefore continue to furnish a subject of unpleasant discussion and possible collision between the two Governments. I cherish however a lively hope, founded, as well on the validity of those claims, and the established policy of all enlightened Governments, as on the known integrity of the French monarch, that the injurious delays of the past, will find redress in the equity of the future. Our Minister has been instructed to press these demands on the French Government, with all the earnestness which is called for by their importance and irrefutable justice,

and in a spirit that will evince the respect which is due to the feelings of those from whom the satisfaction is required.

Our minister recently appointed to Spain has been authorized to assist in removing evils alike injurious to both countries, either by concluding a Commercial Convention upon liberal and reciprocal terms, or by urging the acceptance, in their full extent, of the mutually beneficial provisions of our navigation acts. He has also been instructed to make a further appeal to the justice of Spain, in behalf of our citizens, for indemnity for spoliation upon our commerce, committed under her authority—an appeal which the pacific and liberal course observed on our part, and a due confidence in the honor of that Government, authorize us to expect will not be made in vain.

With other European Powers, our intercourse is on the most friendly footing. In Russia; placed by her territorial limits, extensive population, and great power, high in the rank of nations, the United States have always found a steadfast friend. Although her recent invasion of Turkey awakened a lively sympathy for those who were exposed to the desolations of war, we cannot but anticipate that the result will prove favourable to the cause of civilization & to the progress of human happiness. The treaty of peace between these powers having been ratified, we cannot be insensible to the great benefit to be derived to the commerce of the U. S. from unlocking the navigation of the Black Sea; a free passage into which is secured to all merchant vessels bound to ports of Russia under a flag at peace with the Porte. This advantage, enjoyed upon conditions, by most of the Powers of Europe, has hitherto been withheld from us. During the past summer, an antecedent, but unsuccessful attempt to attain it, was renewed, under circumstances which promised the most favourable results. Although these results have fortunately been thus in part attained, further facilities to the enjoyment of this new field for the enterprise of our citizens are, in my opinion, sufficiently desirable to ensure to them our most zealous attention.

Our trade with Austria, although of secondary importance, has been gradually increasing, and is now so extended, as to deserve the fostering care of the Government. A negotiation commenced and nearly completed with that Power, by the late Administration, has been consummated by a treaty of amity, navigation, and commerce, which will be laid before the Senate.

During the recess of Congress, our diplomatic relations with Portugal have been resumed. The peculiar state of things in that country caused a suspension of the recognition of the Representative who presented himself, until an opportunity was had to obtain from our official organ there, information regarding the actual, and as far as practicable, prospective condition of the authority by which the representative in question was appointed. This information being received, the application of the established rule of our Government, in like cases, was no longer withheld.

Considerable advances have been made during the present year, in the adjustment of claims of our citizens upon Denmark for spoliation; but all that we have a right to demand from that government in their behalf, has not yet been conceded. From the liberal footing, however, upon which the subject has, with the approbation of the claimants, been placed by the government together with the uniformly just and friendly disposition which has been evinced by his Danish Majesty, there is a reasonable ground to hope that this single subject of difference will speedily be removed.

Our relations with the Barbary powers continue, as they have long been, of the most favourable character. The policy of keeping an adequate force in the Mediterranean, as security for the continuance of this tranquility, will be persevered in, as well as a similar one for the protection of our commerce & fisheries in the Pacific.

The Southern Republics, of our own hemisphere

have not yet realized all the advantages for which they have been so long struggling. We trust, however, that the day is not distant, when the restoration of peace and internal quiet, under permanent systems of government, securing the liberty, and promoting the happiness of the citizens, will crown, with complete success, their long and arduous efforts, in the cause of self-government, and enable us to salute them as friendly rivals in all that is truly great and glorious.

The recent invasion of Mexico, and the effect thereby produced upon her domestic policy must have a controlling influence upon the great question of South American emancipation. We have seen the fell spirit of civil dissension rebuked, and, perhaps, forever, stifled in that republic, by the love of independence. If it be true, as appearances strongly indicate, that the spirit of Independence is the master spirit, and if a corresponding sentiment prevails in the other States, this devotion to liberty cannot be without a proper effect upon the councils of the mother country. The adoption, by Spain, of a pacific policy towards her former Colonies—an event consoling to humanity, and a blessing to the world, in which she herself cannot fail largely to participate—may be most reasonably expected.

The claims of our citizens upon the South American Governments, generally, are in a train of settlement; while the principal part of those upon Brazil have been adjusted, and a Decree in Council, ordering bonds to be issued by the Minister of the Treasury for their amount, has received the sanction of his Imperial Majesty. This event, together with the exchange of the ratifications of the treaty negotiated and concluded in 1828, happily terminates all serious causes of difference with that Power.

Measures have been taken to place our commercial relations with Peru upon a better footing than that upon which they have hitherto rested; and if met by a proper disposition on the part of that government, important benefits may be secured to both countries.

Deeply interested as we are in the prosperity of our sister republics, and more particularly in that of our immediate neighbour, it would be most gratifying to me, were I permitted to say that the treatment which we have received at her hands has been as universally friendly as the early and constant solicitude manifested by the United States for her success, gave us a right to expect. But it becomes my duty to inform you that prejudices, long indulged by a portion of the inhabitants of Mexico against the Envoy Extraordinary and the Minister Plenipotentiary of the United States, have had an unfortunate influence upon the affairs of the two countries, and have diminished that usefulness to his own which was justly to be expected from his talents and zeal. To this cause, in a great degree, is to be imputed the failure of several measures equally interesting to both parties; but particularly that of the Mexican Government to ratify a Treaty negotiated and concluded in its own capital and under its own eye. Under these circumstances, it appeared expedient to give to Mr. Poinsett the option either to return or not, as, in his judgment, the interest of his country might require, and instructions to that end were prepared; but, before they could be despatched, a communication was received from the government of Mexico, through its Charge d'Affairs here, requesting the recall of our Minister.—This was promptly complied with; and a representative of rank corresponding with that of the Mexican diplomatic agent near this Government was appointed. Our conduct towards the Republic has been uniformly of the most friendly character; and having thus removed the only alledged obstacle to harmonious intercourse, I cannot but hope that an advantageous change will occur in our affairs.

In justice to Mr. Poinsett, it is proper to say, that my immediate compliance with the application for his recall, and the appointment of a successor, are not to be ascribed to any evidence that the imputation of an improper

interference by him, in the local politics of Mexico, was well founded; nor to a want of confidence in his talents and integrity; and to add, that the truth of that charge has never been affirmed by the Federal Government of Mexico, in its communications with this.

I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our Constitution which relates to the election of President and Vice President. Our system of government was, by its framers, deemed an experiment; and they, therefore, consistently provided a mode of remedying its defects.

To the People belong the right of electing their Chief Magistrate; it was never designed that their choice should, in any case, be defeated, either by the intervention of electoral colleges, or by the agency confided, under certain contingencies, to the House of Representatives. Experience proves, that, in proportion as agents to execute the will of the People are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful: all are liable to err. So far, therefore, as the People can, with convenience, speak, it is safer for them to express their own will.

The number of aspirants to the Presidency, and the diversity of the interests which may influence their claims, leave little reason to expect a choice in the first instance; and, in that event, the election must devolve on the House of Representatives, where, it is obvious, the will of the People may not be always ascertained, or, if ascertained, may not be regarded. From the mode of voting by States, the choice is to be made by twenty-four votes; and it may often occur, that one of these may be controlled by an individual Representative. Honors and offices are at the disposal of the successful candidate. Repeated ballottings may make it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward?—But even without corruption—supposing the probity of the Representative to be proof against the powerful motives by which he may be assailed—the will of the People is still constantly liable to be misrepresented.—One may err from ignorance of the wishes of his constituents; another, from a conviction that it is his duty to be governed by his own judgment of the fitness of the candidates; finally, although all were inflexibly honest—all accurately informed of the wishes of their constituents—yet, under the present mode of election, a minority may often elect the President; and when this happens, it may reasonably be expected that efforts will be made on the part of the majority, to rectify this injurious operation of their institutions. But although no evil of this character should result from such a perversion of the first principle of our system—that *the majority ought to govern*—it must be very certain that a President elected by a minority, cannot enjoy the confidence necessary to the successful discharge of his duties.

In this, as in all other matters of public concern, policy requires that as few impediments as possible should exist to the free operation of the public will. Let us, then, endeavour so to amend our system that the office of Chief Magistrate may not be conferred upon any citizen but in pursuance of a fair expression of the will of the majority.

I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of President and Vice President. The mode may be so regulated as to preserve to each State its present relative weight in the election; and a failure in the first attempt may be provided for, by confining the second to a choice between the two highest candidates. In connexion with such an amendment, it would seem advisable to limit the service of the Chief Magistrate to a single term, of either four or six years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved, would not be proper.

While members of Congress can be constitutionally appointed to offices of trust and profit, it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be better qualified to fill than other citizens; but the purity of our Government would doubtless be promoted by their exclusion from all appointments in the gift of the President in whose election they may have been officially concerned. The nature of the judicial office, and the necessity of securing in the Cabinet and in diplomatic stations of the highest rank, the best talents and political experience, should, perhaps, except these from the exclusion.

There are perhaps few men who can, for any great length of time, enjoy office and power, without being more or less under the influence of feelings unfavorable to a faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves; but they are apt to acquire a habit of looking with indifference upon the public interests, and of tolerating conduct from which an unpractised man would revolt. Office is considered as a species of property; and Government rather as a means of promoting individual interests, than as an instrument created solely for the service of the People.—Corruption in some, and in others, a perversion of correct feelings and principles, divert Government from its legitimate ends, and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or at least, admit of being made, so plain and simple, that intelligence may readily qualify themselves for their performance, and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit, therefore, to your consideration whether the efficiency of the government would not be promoted, and official industry and integrity better secured, by a general extension of the law which limits appointments to four years.

In a country where officers are created solely for the benefit of the People, no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is therefore done by removal, since neither appointment to, nor continuance in office is matter of right. The incumbent became an officer with a view to public benefits: and when these require his removal, they are not to be sacrificed to private interests. It is the People, and they alone, who have a right to complain, when a bad officer is substituted for a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed limitation would destroy the idea of property now so generally connected with official station; and although individual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading principle in the republican creed, give healthful action to the system.

No very considerable change has occurred, during the recess of Congress, in the condition of either our Agriculture, Commerce, or Manufactures. The operation of the Tariff has not proved so injurious to the two former, nor as beneficial to the latter, as was anticipated. Importations of foreign goods have not been sensibly diminished; while domestic competition, under an illusive excitement, has increased the production much beyond the demand for home consumption. The consequences have been low prices, temporary embarrassment, and partial loss. That such of our manufacturing establishments as are based upon capital, and are prudently managed, will survive the shock, and be ultimately profitable, there is no good reason to doubt.

To regulate its conduct, so as to promote equally the prosperity of these three cardinal interests is one of the most difficult tasks of Government; and it may be regretted that the complicated restrictions which now

embarrass the intercourse of nations, could not by common consent be abolished, and commerce allowed to flow in those channels to which individual enterprise—always its surest guide—might direct it. But we must ever expect selfish legislation in other nations, and are therefore compelled to adapt our own to their regulations, in the manner best calculated to avoid serious injury, and to harmonize the conflicting interests of our agriculture, our commerce, and our manufactures. Under these impressions, I invite your attention to the existing Tariff, believing that some of its provisions require modification.

The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture, is that which will place our own in fair competition with those of other countries; and the inducements to advance even a step beyond this point, are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry, affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

In deliberating, therefore, on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All attempts to connect them with the party conflicts of the day, are necessarily injurious, and should be discontinued. Our action upon them should be under the control of higher and purer motives. Legislation, subjected to such influences, can never be just, and will not long retain the sanction of a People, whose active patriotism is not bounded by sectional limits, nor insensible to that spirit of concession and forbearance, which gave life to our political compact, and still sustains it. Discarding all calculations of political ascendancy, the north, the south, the east, and the west, should unite in diminishing any burthen of which either may justly complain.

The agricultural interest of our country is so essentially connected with every other, and so superior in importance to them all, that it is scarcely necessary to invite to it your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural productions, and to extend their application to the wants and comforts of society, that they deserve the fostering care of Government.

Looking forward to the period, not far distant, when a sinking fund will no longer be required, the duties on those articles of importation which cannot come in competition with our own productions, are the first that should engage the attention of Congress in the modification of the tariff. Of these, tea and coffee are the most prominent: they enter largely into the consumption of the country, and have become articles of necessity of all classes. A reduction, therefore, of the existing duties, will be felt as a common benefit; but, like all other legislation connected with commerce, to be efficacious, and not injurious, it should be gradual and certain.

The public prosperity is evinced in the increased revenue arising from the sales of the public lands, and in the steady maintenance of that produced by imposts and tonnage, notwithstanding the additional duties imposed by the act of 19th May, 1828, and the unusual importations in the early part of that year.

The balance in the Treasury on 1st of January 1829, was five millions nine hundred and seventy-two thousand four hundred and thirty-five dollars and eighty-one cents. The receipts of the current year are estimated at twenty-four millions six hundred and two thousand two hundred and thirty dollars; and the expenditures for the same time at twenty-six millions one hundred and sixty-four thousand five hundred and ninety-five dollars; leaving a balance in the Treasury on the 1st of

January next, of four millions four hundred and ten thousand and seventy dollars and eighty one cents.

There will have been paid, on account of the public debt, during the present year, the sum of twelve millions four hundred and fifty thousand and five dollars & eighty cents; reducing the whole debt of the government, on the 1st of January next, to forty-eight millions five hundred and sixty-five thousand four hundred and six dollars and fifty cents, including seven millions of five per cent. stock, subscribed to the Bank of the U. States.—The payment on account of the public debt, made on the first of July last, was eight millions seven hundred and fifteen thousand four hundred and sixty-two dollars and eighty-seven cents. It was apprehended that the sudden withdrawal of so large a sum from the banks in which it was deposited, at a time of unusual pressure in the money market, might cause much injury to the interests dependent upon bank accommodations. But this evil was wholly averted by an early anticipation of it at the Treasury, aided by the judicious arrangements of the officers of the Bank of the U. States.

This state of the finances exhibits the resources of the nation in an aspect highly flattering to its industry, and auspicious of the ability of Government, in a very short time, to extinguish the public debt. When this shall be done, our population will be relieved from a considerable portion of its present burthens; and will find, not only new motives to patriotic affection, but additional means for the display of individual enterprise. The fiscal power of the States will also be increased, and may be more extensively exerted in favour of education and other public objects; while ample means will remain in the Federal Government to promote the general weal, in all the modes permitted to its authority.

After the extinction of the public debt, it is not probable that any adjustment of the tariff, upon principles satisfactory to the People of the Union, will, until a remote period, if ever, leave the Government without a considerable surplus in the Treasury, beyond what may be required for its current service. As then the period approaches when the application of the revenue to the payment of the debt will cease, the disposition of the surplus will present a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connexion with the difficulties which have heretofore attended appropriations for purposes of internal improvement, and with those which this experience tells us will certainly arise, whenever power over such subjects may be exercised by the General Government, it is hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the States, and strengthen the bonds which unite them. Every member of the Union, in peace and in war, will be benefitted by the improvement of inland navigation and the construction of highways in the several States. Let us then endeavor to attain this benefit in a mode which will be satisfactory to all. That hitherto adopted has, by many of our fellow-citizens, been deprecated as an infraction of the Constitution, while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils.

To avoid these evils, it appears to me that the most safe, just, and federal disposition which could be made of the surplus revenue, would be its apportionment among the several States according to their ratio of representation; and should this measure not be found warranted by the Constitution, that it would be expedient to propose to the States an amendment authorizing it. I regard an appeal to the source of power, in cases of real doubt, and where its exercise is deemed indispensable to the general welfare, as among the most sacred of all our obligations. Upon this country, more than any other has, in the providence of God, been cast the special guardianship of the great principle of adherence to written constitutions. If it fail here, all hope in regard to it will be extinguished. That this was intended to be a

government of limited and specific, and not general powers, must be admitted by all; and it is our duty to preserve for it the character intended by its framers. If experience points out the necessity for enlargement of these powers, let us apply for it to those for whose benefit it is to be exercised; and not undermine the whole system by a resort to overstrained constructions. The scheme has worked well. It has exceeded the hopes of those who devised it, and become an object of admiration to the world. We are responsible to our country, and to the glorious cause of self-government, for the preservation of so great a good. The great mass of legislation relating to our internal affairs, was intended to be left where the Federal Convention found it—in the State Governments. Nothing is clearer, in my view, than that we are chiefly indebted for the success of the Constitution under which we are now acting, to the watchful and auxiliary operation of the State authorities. This is not the reflection of a day, but belongs to the most deeply rooted convictions of my mind. I cannot, therefore, too strongly or too earnestly, for my own sense of its importance, warn you against all encroachments upon the legitimate sphere of State sovereignty. Sustained by its healthful and invigorating influence, the Federal system can never fail.

In the collection of the revenue, the long credits authorized on goods imported from beyond the Cape of Good Hope are the chief cause of the losses at present sustained. If these were shortened to six, nine, or twelve months; and warehouses provided by Government, sufficient to receive the goods offered in deposit for security and for debenture; and if the right of the United States to a priority of payment out of the estates of its insolvent debtors were more effectually secured, this evil would, in a great measure, be obviated. An authority to construct such houses, is, therefore, with the proposed alteration of the credits, recommended to your attention.

It is worthy of notice, that the laws for the collection and security of the revenue arising from imposts were chiefly framed when the rates of duties on imported goods presented much less temptation for illicit trade than at present exists. There is reason to believe, that these laws are, in some respects, quite insufficient for the proper security of the revenue, and the protection of the interests of those who are disposed to observe them. The injurious and demoralizing tendency of a successful system of smuggling, is so obvious as not to require comment, and cannot be too carefully guarded against. I therefore suggest to Congress the propriety of adopting efficient measures to prevent this evil; avoiding, however, as much as possible, every unnecessary infringement of individual liberty, and embarrassment of fair and lawful business.

(To be continued.)

#### PROVINCIAL CORRESPONDENCE: 1750 TO 1765.

A friend in the interior has furnished us with the following extracts from Provincial Letters, &c. which will be found interesting. We hope he will continue them: as he kindly promises to do.

August, 1750.

"The 'Black Hunter,' the 'Black Rifle,' the 'Wild Hunter of Juniata,' the 'Black Hunter of the Forest,' is a white man; his history is this: he entered the woods with a few enterprising companions; built his cabin, cleared a little land, and amused himself with the pleasures of fishing and hunting. He felt happy, for then he had not a care. But on an evening, when he returned from a day of sport, he found his cabin burnt, his wife and children murdered. From that moment he forsakes civilized man; hunts out caves in which he lives; protects the frontier inhabitants from the Indians; and seizes every opportunity of revenge that offers. He

lives the terror of the Indians and the consolation of the Whites. On one occasion, near Juniata, in the middle of a dark night, a family were suddenly awaked from sleep by the report of a gun—they jumped from their huts, and by the glimmering light from the chimney, saw an Indian fall to rise no more. The open door exposed to view the 'Wild Hunter.' 'I have saved your lives,' he cried; then turned and was buried in the gloom of night.

"I could give you many a remarkable tale of the 'Black Protector.' His look is as unerring as his aim. I believe however he never shoots without good excuse."

Carlisle, May 27th, 1753.

To James Hamilton, Esquire, Governor of the Province of Pennsylvania.

DEAR SIR—I reached this place a few days since, without accident; having previously embraced an opportunity which presented itself of learning the Indian character by attending the great Indian Talk in Path Valley—the particulars of which you will receive from Le Tort. The garrison here consists only of twelve men. The stockade originally occupied two acres of ground square, with a block house in each corner—these buildings are now in ruin. As Carlisle has been recently laid out, and is the established seat of justice, it is the general opinion that a number of Log Buildings will be erected during the ensuing summer on speculation, in which some accommodation can be had for the new levies. The number of dwelling houses is five. The Court is at present held in a temporary log building on the north east corner of the centre square. If the lots were clear of the brush wood, it would give a different aspect to the town. The situation, however, is handsome, in the centre of a valley, with a mountain bounding it on the north and south, at a distance of seven miles.—The wood consists principally of oak and hickory. The limestone will be of great advantage to the future settlers, being in abundance. A lime kiln stands on the centre square, near what is called the deep quarry, from which is obtained good building stone. A large stream of water runs about two miles from the village, which may at a future period be rendered navigable. A fine spring flows to the east, called Le Tort, after the Indian Interpreter, who settled on its head about the year 1720. The Indian wigwams in the vicinity of the great Beaver pond, are to me an object of particular curiosity. A large number of the Delawares, Shawanese and Tuscaroras continue in this vicinity; the greater number have gone to the west. I am desirous of learning their customs, habits, and manners; as it may assist me in the object or pursuits in which I am engaged, the confidence of the chief I shall endeavor to obtain. I gave Captain Joel the commission; it was well bestowed, his hand may be of vast use hereafter in checking the incursions of the Indians. David Scott is entitled to much praise for the liberal offer he has made of paying the expenses incurred by them. If the French are enabled to strengthen their positions on the western frontiers, the situation of the country will be critical indeed. The Irish emigrants have acted with inconsiderate rashness, in entering upon Indian lands not purchased. It is a matter of regret that they do not conciliate and cultivate the good will of the Red Men. I have directed the several block houses and guard houses to be erected agreeably to your desire, in the mean time am,

Very respectfully yours,

JOHN O'NEAL.

Extract of a Provincial Letter dated in 1754—

Carlisle.

"The stockade is of singular construction. A ditch is dug in the first instance about four feet deep, into which oak logs are set upright about 17 feet in height. Each log is about one foot in diameter. In the interior are platforms made with clap boards—these are elevated about five feet in height, on which the men stand

with fire arms to fire through small apertures made for the purpose; a swivel gun is placed in each corner, and fired as occasion required to let the Indians know that such kind of guns were within."

Extract of a Letter in 1754—Carlisle:

"Captain Joel is one of the most remarkable characters in the Province of Pennsylvania. He emigrated at an early period to the west. Bold, daring, and intrepid, ardent in his affections, zealous in his occupation as a hunter; when the Indians assumed a warlike attitude, he formed an association of the settlers to defend the settlements from this aggression. On a given signal they would unite. On the Conococheague and Juniata, are left the histories of their exploits. At one time you may hear of the band near Fort Augusta, next at Fort Franklin, then at Loudon, then at Juniata—rapid were the movements of this hardy band. The very name of Joel strikes terror in his enemies. He at present is defending the settlement on the Conococheague."

In 1755 the disposition of the force was as follows—

|                            |   |   |            |
|----------------------------|---|---|------------|
| Fort Loyal Hanna,          | - | - | 300 men.   |
| Raystown,                  | - | - | 200        |
| Cumberland,                | - | - | 200        |
| Frederick,                 | - | - | 100        |
| Juniata,                   | - | - | 100        |
| Littleton,                 | - | - | 100        |
| Loudon,                    | - | - | 100        |
| Franklin, at Shippensburg, | - | - | 50         |
| Louther, at Carlisle,      | - | - | 50         |
| Henshaw, on Delaware,      | - | - | uncertain. |
| Hamilton,                  | - | - | do.        |
| Norris,                    | - | - | do.        |
| Allen,                     | - | - | do.        |
| Lebanon,                   | - | - | do.        |
| Franklin,                  | - | - | do.        |
| William Henry,             | - | - | do.        |
| Augusta,                   | - | - | do.        |
| Halifax,                   | - | - | do.        |
| Shirley,                   | - | - | do.        |

Carlisle, Feb. 28th, 1760.

SIR—An inhuman and barbarous murder was performed on Dr. John and his family. This Indian who has been considered a friend to the whites, has been treacherously murdered by persons unknown. He belongs to the Delawares, and I grieve to say that their chiefs will demand reparation. So many cruelties have been practised upon the whites by the Indians, that the innocent are not secure from their revenge. I regret that it should have happened in our village. Be assured we shall do all in our power to bring the offenders to justice.

Respectfully yours,

Carlisle, July 3d, 1763.

To JAMES HAMILTON, Esquire.

SIR—I am sorry to acquaint you that the posts at Presque Isle, Le Beuf, and Venango, are cut off, and the garrisons massacred by the savages, except one officer and seven men who escaped from Le Beuf. Fort Pitt was briskly attacked on the 22d, had only a few men killed and wounded, and dispersed the enemy. Fort Ligonier has likewise stood a very vigorous attack by means of some men who re-inforced that small garrison from the militia of Bedford. The Indians expected a strong reinforcement to make new attempts on these two posts. If the measures I had the honour to recommend to you in my letters of yesterday, are not immediately put in execution, I foresee the ruin of the Posts of the Province on this side Shesquehanna; and as York county would be covered by Cumberland, I think they ought to assist in building the Posts, and sowing the harvest. It would not be the less necessary to send immediately arms and ammunition to be distributed among the inhabitants for the protection of the reapers.

I have the honor to be your's &c.

HENRY BOUQUET.

Carlisle, July 5th, 1763.

"On the morning of yesterday, horsemen were seen rapidly passing through Carlisle. One man rather fatigued, who stooped to get some water, hastily replied to the question 'What news?' 'Bad enough, Presque Isle, Le Beuf and Venango had been captured, their garrisons massacred, with the exception of one officer & seven men, who fortunately made their escape from Le Beuf. Fort Pitt was briskly attacked on the 22d of June, but succeeded in repelling the assailants.' Thus saying he put spurs to his horse and was soon out of sight. From others I have accounts that the Bedford militia have succeeded in saving Fort Ligonier. Nothing could exceed the terror which prevail from house to house, from town to town. The road was near covered with women and children flying to Lancaster and Philadelphia. The Rev. ———, Pastor of the Episcopal Church, went at the head of his congregation, to protect and encourage them on the way. A few retired to the Breast works for safety. The alarm once given could not be appeased. We have done all that men can do to prevent disorder. All our hopes are turned upon Boquet."

In 1764 Col. Boquet concluded a peace with the several Indian nations. The following account of the giving up of the prisoners may prove interesting to many of your readers:

"The Indians at first delivered up twenty prisoners, but promised to restore the remainder. The Colonel having no faith in their promises, immediately marched into the very heart of their country, where he received a large number, even children born of white mothers, but these little children were so completely savage that they were brought to the camp tied hand and foot; for in no other way could they have been taken from the wigwams. Two hundred were now given up, but it was supposed that at least one hundred yet remained in the interior, scattered among different tribes.

Language cannot describe the joy, terror, disappointment, expectation, horror, and gloom; every face exhibited different emotions. The scene baffled description: husbands found wives, parents children, and sisters brothers, the brother embraced the tender companion of his early years, now the mother of Indian children.—Various were the groups thus collected—some not understanding the language of their new found relatives, were unable to make their wishes known—others were busily employed in making inquiries after lost friends—many recovered children long supposed dead—some hapless mother fainting on the awful intelligence of a favorite child tortured to death—some stood in despair living monuments of wretched uncertainty. But how were the Indians employed—embracing their captives for the last time—they shed torrents of tears and gave up all their little property as an evidence of their affection. They even applied and obtained the consent of Boquet, to accompany them to Pittsburg; and during that journey they hunted, gave venison to the captives on the march. Among the captives was a young Virginian, who had captivated the heart of a young Mingo. Never was there seen an instance of more real affection, regard and constancy. The young Mingo was told to beware of the relatives of her he loved. He replied, 'I would live in her sight or die in her presence—what pleasure shall the Mingo have—who is to cook the venison—who to thank him for the soft fur? no one! The venison will run—the fur will not be taken—the Mingo can hunt no more.' Every person appeared interested in the fate of the young Mingo. The General dismissed him with a handsome present. Every captive left the Indians with regret. The Indian children shed tears, and considered the whites as barbarians. Several women eloped in the night, and ran off to join their Indian friends. One young woman was carried off tied by her friends, to prevent her from joining the Indians. There had not been a solitary instance among them of any wo-



man having her delicacy injured by being compelled to marry. They had been left liberty of choice, and those who chose to remain single were not sufferers on that account. There was one young woman whose relation was such as to excite an unusual degree of interest. It had been her fate to be captured at the early age of 14. She had been captured and taken away to a distant tribe, far from the dwelling of the whites. Years had removed every prospect of restoration to her former home. She had been adopted in the family of an Indian chief; her delicacy of form and feature made an impression on a young Indian. He would attend and aid her in the performance of her duties; sympathize with her distress, and alleviate her cares—thus by a thousand kind attentions he won upon her heart. They were married—they had children—they were happy—she felt happy because she possessed the affection of her husband and children. When she heard she was to be delivered up to her former friends, her grief knew no bounds. Thus would she reason: "As a wife of an Indian, as a mother of Indian children, can I enter the dwelling of my parents; will my parents be kind; will they receive my children with affection; will my former companions associate with the wife of an Indian Chief; will they not shun my steps. And my Indian husband who has been so kind, so very kind, can I desert him; no she would not surrender him"—and that night she eloped from the camp, accompanied by her husband and children. When General Boquet was informed of the circumstance, he requested that no pursuit should be made, as she was happier with her Chief than she would be if restored to her home."

To the Honorable Henry Boquet, commander in chief of his majesty's forces in the southern department of America.

The Address of the Representatives of the Freemen of the Province of Pennsylvania in General Assembly met.\*

SIR—The Representatives of the Freemen of the Province of Pennsylvania in General Assembly met, being informed that you intend shortly to embark for England, and moved with a due sense of the important services you have rendered to his Majesty, his northern Colonies in general, and to this Province in particular, during our late wars with the French and barbarous Indians; in the remarkable victory over the Savage enemy, united to oppose you near Bushy Run in August, 1763, when on your march for the relief of Pittsburg, owing under God to your intrepidity and superior skill in command, together with the bravery of your officers and little army; as also in your late march to the country of the savage nations, with the troops under your direction; thereby striking terror through the numerous Indian tribes around you—laying a foundation for a lasting as well as honorable peace, and rescuing from savage captivity upwards of two hundred of our Christian brethren prisoners among them.

These eminent services, and your constant attention to the civil rights of his Majesty's subjects in this province demand Sir, the grateful tribute of thanks from all good men, and therefore we the representatives, of the free men of Pennsylvania unanimously for ourselves and in behalf of our people of this province do return you our sincere and hearty thanks for these your great services wishing you a safe and pleasant voyage to England with a kind and gracious respect for his Majesty.

By order of the House,

JOSEPH FOX,

Speaker.

January 15th 1765.

NOTE—Colonel Bouquet, on his return home was immediately elected to the rank and pay of Major General.

January 1st 1765, a petition of this date to the General Assembly, signed by Robert Callender, George Croghan, Thomas Smallman and Thomas Butler, represents that they commenced building an Episcopal church

in the town of Carlisle on the North-east public, lot of the Centre square, by permission of the proprietors with grants thereof to them, to the use of the congregation of said church, and requesting aid to finish the same.

*City of Lancaster.* Lancaster was laid out in the year 1728, in 1730 contained about two hundred inhabitants, and in the year 1766 six hundred.

When the town was first laid out there was one house in it, and that was occupied as a tavern; and a spring is described as not being far distant from it. The occupant of the tavern was a person of the name of Gibson. In 1766 an act was passed for lighting the streets but repealed the next year on the ground that the few would be lighted by the taxation of the many.

#### COMMUNICATED FOR THE REGISTER.

MR. HAZARD,

I have pleasure in sending to you a copy of verses written in Sussex Co. Delaware, at the early date of 1705. I think it does some credit to its author, and may well be presented to the public as an additional proof, that the early settlements on our River, were not without their men of taste, wit, and learning. The versification you will remark is not inelegant, and the stile and spirit of the composition prove the author to have studied the best models.

I ought however to say something of the author's history and attainments. He was Mr. Henry Brooke—his father, it is said, was an English Baronet; and he being a younger son, was provided for by a place in the Customs at Lewistown. There he felt the want of society and resources less than would now be supposed, for Lewistown stood high among the river settlements in point of wealth and refinement, and Mr. Brooke having received an excellent education, employed his leisure in literary pursuits—he was passionately fond of poetry and wrote occasionally himself. His pieces were so much praised in their day that one might almost doubt whether the one I send you is a favourable specimen, but it is the only one I have seen; it is entitled "A discourse Concerning Jests," and is addressed to Mr. Robert Grace whom Franklin in his Autobiography describes as "a young man of fortune; generous, animated, and witty, fond of Epigrams, but more fond of his friends."

[The copy in my possession is in the writing of a transcriber whose ignorance has altered some of the lines into nonsense beyond the possibility of correction.]

#### A DISCOURSE CONCERNING JESTS.

I prithee Bob forbear; or if thou must  
Be talking still, yet, talk not as thou do'st:  
Be silent, or speak well—and oh! detest  
That darling, bosome sin of thine a Jest.

Believe me, 'Tis a fond pretence to wit  
To say what's forced, unnatural, unfit,  
Frigid, ill timed, absurd, rude, petulant:  
'Tis so, "you cry"—all this I freely grant.

Yet such were those smart turns of conversation  
When late our Kentish friends in awkward fashion  
Grin'd out their Joy; and I my indignation—  
Oh! how I hate that time all all that past

When fools or mad we scourd'd the city last:  
All the false humour of our giddy club

The bread, the watch, the windows, doors, or tub  
Or youth's first rage that urged th' extravagance;

Or casines the bubbles [Booby's] complaisance:  
These, tho' my hate, and these (God knows) I hate  
Much more than Jones or Story do debate;  
More than all shapes of action, corporation,\*

\* *Corporation and Remonstrances*—To understand how these became objects of my hatred, you are to call to mind that, the members of the first, and the framers of the latter had used a Governor and Secretary, who had the largest share of my esteem, very scurvily.

Remonstrances, a Whig and Tory Nation  
Reviews, or Churches in or out of fashion  
The Bradbury's, Dintons, Ridpaths, Observators  
Or true born Daniels unpoetical satyrs.

From wines enchanting power derive excuse  
But for a man in's wits, unpoison'd w'th the juyce,  
T' indulge so wilfully in empty prate,  
And sell rich time at such an under rate;

This hath no show, no colour of defence  
And wants so of wit, it fails of common sense  
For wit, my friend—but you regard not me,  
Regard our Dryden then, true wit, says he,  
Is true Propriety of sense and words.

How little to a jest this rule affords?  
Propriety of sense is where a thought  
Of nature, is a just and faithful draught:

Of words, wherewith the thought they so agree  
As fully to convey another sense to me.  
Those are the sum of wit, and mingle then  
If due regard be had to how and when;

To what, where, whome; by these directions steer  
By these in time you'll speak, in time forbear.  
Thus Dryden taught and as he taught he wrote  
Well chosen were his words, and just his thought.

Yet even this Dryden once a Gomez drew  
A merry jesting soul that talks like you,  
He's rob'd, he jests; is cuckolded, jests on,  
Drag'd from his house by ruffians; 'tis all one  
Still Gomez jests—He's sworn into a plot;  
A good conceit must never be forgot.  
He's try'd, his death is counsild by the Priest:  
What does me Gomez then? e'en breaks his jest.

But some may say, B'y'r favour knowing Sir!  
Is this old Gomez this his character?  
Gomez the wealthy jealous userer?

Yes Gomez Sir! that wealthy jealous one  
Is, to all that, a trifling rank buffoon  
And what do you think deceiv'd a soul so right?  
Lured by some gay conundrums treacherous light  
He struck upon your fatal rock; and strait

The Poet sunk to heighten the conceit.  
But would you learn the art of speaking well?  
Read Congreve too, consider Mirabel—  
Why Mirabel has jest! He has I grant,

But they're on Wit-wol'd, Stile, or Petulant.  
And yet that Wit-wol'd, give the man his due,  
And Petulant, jest full as well as you.

Wit-wol'd, the name's significant, beware,  
And Petulant, ah! shun the character.  
But Mirabel instructs as he inveighs,  
Gives beauty and a weight to all he says  
Starlike he shines with clear indureing light

Whiles they like meteors skip before our sight  
Now they blaze out, and now again 'tis night.  
Oh! were that courtly flowing turn as well  
Pursued by him as easy, Mirabel!

Wou'd in all wish'd for qualities excell—  
By this true wit's distinguished from a jest  
That must be lasting and abide the test  
Of coming ages; this a shortliv'd thought

By Rodney laugh'd at, and assoon forgot.  
And if you mind, a thing that's said with art  
Conveys a calmer joy thro' every part.  
Dilates the bosome cheers the vital flood,  
And heard again, and yet again is good:

But scarce provokes to laugh, yet that's the best  
The brightest charme of your bewitching jest  
Now 'tis discharged, and now all voices chime  
In chattering Joys; but ah! that fleeting prime  
Once o'er, it half offends a second time—  
Thus tickling puts us in the laughing veine  
But if repeated changes into pain.

While friendly hymns strong yet serious play  
Tho' sighs not smiles yet full content betray  
Gives solid joys that but with life decay.

† In the careless husband.

But least my rules fall short or over reach

Turn we to men, and let example teach  
Behold that roof; beneath whose happy square  
Lelius and Varro, an immortal pair!

By living rules the neighbouring youth refine  
Th' illustrious patterns of this rude designe.

Lelius and Varro two the brightest stars  
That guil'd the world of learnings hemispheres  
Read them, as that has men, this, Books has read

And follow in the glorious path they lead.  
Blest path, the guide to that eternal spring  
Where learning and good sense in joyful concert sing.  
Blest guide to all those sacred arts that can

Make thee good Scholar, or fine gentleman.  
Thou taught'st 'em to think well, to speak with ease.  
And that, as usefull art, to hold their peace,  
Thou show'd'st 'em what's too little, what enough;

How to begin, continue and break off.  
Hence nothing comes from them that wounds the ear.  
For what is fit to speak, is fit to hear.

No cold insipid jests escape from these  
But truths well dress'd they both instruct and please  
Read them, and learn, by reading, what you want,  
That needfull truth, that man's an ignorant,  
(For still the more our understanding clears

So still the more our ignorance appears.)  
This truth will teach you shame, humility,  
Candour, good nature, conscious modesty,  
All medicines for the jesting malady.

Dare to be wise, let jests be Firmis fame  
Erect your mind pursue a noble aim.  
In short be your own contrary and then  
You'll know what's to be man, and how to live with men.

## DOCUMENTS

*Accompanying the Governor's Message.*

*Continued from page 364.*

*Correspondence on the subject of the Permanent Loan  
under act of the 22nd April, 1829.*

1. Secretary's letter to the Bank of Pennsylvania.  
*Secretary's Office,  
Harrisburg, April 23d 1829.*

Sir—By an act of the General Assembly, passed the twenty second instant, a copy of which is annexed, the Governor is authorized to negotiate a temporary loan to the commonwealth, for such sum as shall be necessary, at an interest not exceeding five per cent. per annum, to be paid out of the permanent loan authorized by the same act, within six months after the passage thereof.—The Governor has deemed it necessary to negotiate a temporary loan under the provisions of the act referred to, of eight hundred thousand dollars; and I am instructed by him to inquire of you, whether the Bank of Pennsylvania can loan any part of this sum to the commonwealth on the terms mentioned in the act, to be deposited in the Bank of Pennsylvania, at as early a day as practicable. I request you to inform me as soon as convenient, of the determination of the directors of the Bank, and if they conclude to make any part of the loan that you inform me of the sum proposed to be loaned, and the time (between this and the 1st day of June,) it can be placed to the credit of the commonwealth. The sum loaned will be repaid at any time within six months from the 22d April instant, at the pleasure of the Governor.

Very respectfully,

Your ob't. servant,

C. BLYTHE.

ELIHU CHAUNCEY, Esq.  
*Cashier of the Bank of Pennsylvania.*

Letters of the same import and date, were written to the following named Banks; Commercial Bank of Pennsylvania, Schuylkill Bank, Farmers and Mechanics', Bank of North America, Philadelphia Bank, Bank of Chester County, Bank of Montgomery County; requesting that the portion of loan they might make, should

be deposited either in the Bank making the loan, or in the Bank of Pennsylvania. To the Farmers' Bank of Lancaster, Lancaster Bank, Farmers' Bank of Reading, Easton Bank, Northampton Bank, York Bank, Bank of Pittsburg, Westmoreland Bank of Pennsylvania, Chambersburg Bank, Carlisle Bank, and the Harrisburg Bank; stating that the money loaned could be deposited to the credit of the commonwealth, on the books of the Bank making the loan.

2. Bank of Chester agrees to loan \$25,000.

3. Secretary accepts.

4. Commercial Bank agrees to loan 50,000, provided their notes will be received and distributed along the canal; the bank to be at the expense and risk of forwarding the notes to Harrisburg, and intimates that the loan can be extended, upon the same terms.

5. Governor accepts of the \$50,000 and any further sum the bank may be disposed to loan.

6. Letter from Cashier of same Bank, dated at Harrisburg informing the Secretary of his being there with \$70,000, which he will loan on the terms mentioned above.

7. Secretary accepts.

8. Letter from President of Commercial Bank in which he states that, "Before a further extension of the loan beyond the amount already paid, it would be desirable to ascertain its operation, and should the notes issued not return upon us very soon, it may be in our power to increase the sum, as was suggested by Mr. Smith, at Harrisburg, but at present the board would rather decline going any further, as the pressure for money amongst the customers of this bank, is very considerable at this time."

9. Bank of Chambersburg, loans \$13,000, then "to the credit of the Commissioners of the Internal Improvement fund."

10. Bank of Lancaster offers 10,000 which Secretary accepts, 11.

12. Letters are received from the following Banks, "severally declining to advance any portion of the temporary loan under the act of 22d April, 1829," viz. Bank of N. America, Philadelphia, Pennsylvania, Germantown, York, Harrisburg, Schuylkill, Farmers' Bank of Lancaster, Montgomery county Bank, Farmers' Bank of Reading, Mechanics Bank of Philadelphia, Pittsburg, Farmers' and Mechanics, and Carlisle.

13. George Eichholtz, Harrisburg offers 2,500. Accepted, A. and Beaumont, and H. Dibble of Harrisburg offer 25,000, accepted.

14. Letter from Secretary at Philadelphia, to Stephen Girard accepting of his *verbal* proposals to loan 100,000, his notes to be circulated along the canal.

15. Letter of Secretary as follows:

*Philadelphia, May 15th, 1829.*

JOHN READ, Esq.

*President of the Philadelphia Bank.*

Sir—It has become necessary to renew the application to the Philadelphia Bank, on the subject of the temporary loan authorised by the act of 22d April last, relative to the Pennsylvania canal and rail road: two hundred and fifty thousand dollars, in addition to the money already obtained, will probably be wanted for canal purposes, previous to the twentieth of next month. I am instructed by the Governor to inquire of you, whether the Philadelphia Bank can loan any part of that sum to the commonwealth, under the provisions of the act referred to.

Very respectfully,  
Your ob't. servant,

C. BLYTHE.

Letters of the same import as the foregoing, were on the same day addressed to E. Chauncey, Esq. cashier of the Bank of Pennsylvania, and to the presidents of the Farmers' and Mechanics' Bank, Schuylkill Bank, Bank of North America, and Mechanics' Bank of the city and county of Philadelphia.

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16. Letter from cashier of Bank of Pennsylvania, in reply, agreeing to loan 100,000, presuming that the amount loaned will be paid out specifically to the workmen on the canal in the way observed with the notes of the Commercial Bank.

17. The Secretary accepts, and requests \$30,000 to be placed to the credit of the state in that bank immediately and that the residue be transmitted in its notes, to be distributed along the canal.

18. Mechanics' Bank will loan 20,000, viz: 5,000 to be drawn for in 5 days, 15,000 to be paid in its notes to be paid to the public creditors. 19. Accepted.

20. Letter from Secretary to President of Philadelphia Bank, accepting of proposal verbally made, to loan 50,000, 10,000 to be placed to credit of the state and the residue forwarded in notes to be used on the canal.

The Bank of North America and Schuylkill declined making any loan at this time.

21. Letter from Secretary, to Cashier of Bank of Pennsylvania informing him that "considerable sums will yet be wanted for canal purposes, previous to realizing the permanent loan. The Governor has the fullest confidence in the disposition of the Bank of Pennsylvania, to aid with its funds in carrying on the great work of internal improvement, in which the state is now engaged." Inquires whether the Bank can advance an additional \$100,000.

22. Letter from Secretary to Commercial Bank—refers to the intention of the bank when it loaned 70,000, to increase it 30,000 more; and to the receipt subsequently of the President's letter stating that it would not be convenient for the Bank to do so at that time—inquires whether it is now convenient; and states that 50,000 would be received on the same terms.

23. Letter from Secretary to Stephen Girard of same import as letter to Bank of Pennsylvania, asking \$100,000 more.

24. Letter from cashier of the Bank of Pennsylvania, enclosing the following resolution passed 30th May—

*Resolved*, That the cashier be requested to inform the Secretary of the Commonwealth that it will not accord with the situation of the Bank to comply with the application in his letter dated the 27th inst."

25. Stephen Girard replies that he is "sorry to be under the necessity to reply, that owing to the present scarcity of money it is impossible for him to comply with the Secretary's proposal."

26. The President of the Commercial Bank replies, "that such has been the demand upon the bank, from its customers and various other sources, that it is entirely out of their power to furnish the sum required at this time, without subjecting it to serious inconvenience, from its relation to other similar institutions."

27. Resolution of Bank of Pennsylvania.

*Resolved*, That this bank will lend the further sum of 75,000 dollars to the commonwealth, as part of the temporary loan, authorised by the act of April 22d, 1829. Provided that the Governor will agree, that the said sum together with the sum of 100,000 dollars, which was lent on the 16th ultimo, shall be repaid to this bank, on or before the 15th of July next, and provided also, that the said sum of 75,000 dollars, now proposed to be loaned, shall be taken by the state treasurer, in notes of this bank, which notes are to be specifically paid out on the Juniata line, and on the north and west branch lines of the public works.

The above is a copy of a resolution passed by the board of directors of the Bank of Pennsylvania, on the 6th June 1829; the same having been accepted by the Governor this day, at an interest, at the rate of five per cent. per annum.

June 9, 1829.

ATTEST.

E. CHAUNCEY, Cashier.

28. Secretary accepts.

29. Letter to the cashier of the bank of U. States, asking a loan of \$50,000.

30. Letter from cashier of U. States bank, informing Secretary of the resolution of the Directors to make the loan—in which he says, "Although this bank has usual-

ly abstained from such appropriations, with a view to keep its funds applicable at successive short periods to the general purposes of private industry and enterprise, in transactions connected with individual means and credit; yet I am authorised to assure you, that the directors have on this occasion, entered most cheerfully into the proposed temporary arrangement with the commonwealth, actuated by a sincere desire to promote as far as the provisions of the charter of the bank would warrant, objects in the successful accomplishment of which, the whole community cannot but be deeply interested."

31. Secretary accepts.

32. Letter from Secretary to the Pittsburg Bank, in which he states that "the pressure upon the Eastern banks induces the governor to renew his application to the Banks west of the mountains, & that it would be of very essential service at this time if they could furnish part of the necessary funds."

A similar letter was addressed to Westmoreland Bank.

33. Pittsburg bank loans \$10,000. Accepted 34.

35. Application renewed to Farmers' Bank of Lancaster. 36. Lancaster Bank. 37. Columbia Bridge Co. 38. York Bank.

39. York Bank loans \$20,000, and the Bridge Co. \$15,000. Lancaster Bank regrets it is not convenient.

40. Bank of Harrisburg applied to—replies it will loan 50,000 at 5 per cent. per ann. to be paid in specie.

41. Secretary accepts.

42. The Philadelphia Bank upon the application of Mr. M'Ilvaine, agrees to loan a further sum of 20,000 in small notes, to be used on the canal, deliverable in Philadelphia—which Secretary accepts.

43. Bank of Northern Liberties also loans 20,000 for 60 days at the rate of 5 per cent. per annum. Accepted.

44. Mechanics' Bank loans 10,000 for 70 days in small notes. Secretary accepts.

46. Farmer's Bank of Bucks offers 15,000 "upon condition that it be expended on the Delaware division of Pennsylvania canal, and repaid out of first, second, and third instalments of the permanent loan."

47. Secretary accepts upon those terms, payable out of second and third instalments.

48. Bank of Penn Township loans 10,000 for 60 or 90 days at 5 per cent. Money delivered to Mr. Shulze.—Secretary accepts.

50. Letter from cashier of Bank of North America to Joseph M'Ilvaine, in which he says, "I have been instructed respectfully to reply, that the bank agrees on the terms mentioned in your letter, to loan to the commonwealth for sixty-five days, the sum of twenty-five thousand dollars to be paid in five dollar notes. In doing which the president and directors have much pleasure, and regret the available funds of the bank do not admit of further extension; and your own influence is respectfully asked, to cause the notes now to be paid the commonwealth, shall not be deposited by the contractors or others, in any bank, but that they shall be taken by them and actually paid out on the lines of improvement, agreeably to the intention kindly expressed in your letter." Secretary accepts.

52. Easton Bank offers 15,000 for 60 days at 5 per cent. provided the amount be appropriated to the use of the Delaware line—subject to the draft of the Treasurer in favor of T. G. Kennedy superintendent. Accepted, placed to credit of Treasurer.

54. Letter from Commercial B'k stating that they remitted a draft of T. G. Kennedy in favor of the Easton Bank, to Mr. Forster for 2000 dollars, on A. Mahon, Esq. Treasurer; which draft has not yet been passed to his credit for want of funds in the hands of the Treasurer, and proposing a loan of 20,000, payable at the expiration of 60 days, provided Treasurer will draw on this bank said sum for the purpose of paying the draft of Mr. Kennedy, now in Harrisburg Bank for collection.

Accepted by Secretary.

(To be continued.)

## GOVERNOR'S ELECTION.

Official Return of Votes for Governor, at the General Election, in October, 1829.

|                                  | Wolf.  | Ritner. | Scot. |
|----------------------------------|--------|---------|-------|
| City of Philadelphia, }          | 11,593 | 546     |       |
| County of do. }                  |        |         |       |
| Bucks, - - - - -                 | 4,242  | 841     |       |
| Chester, - - - - -               | 2,630  | 2,703   |       |
| Lancaster, - - - - -             | 3,976  | 5,542   |       |
| York, - - - - -                  | 1,855  | 760     |       |
| Cumberland, - - - - -            | 1,592  | 799     |       |
| Berks, - - - - -                 | 3,990  | 2,689   |       |
| Schuylkill, - - - - -            | 902    | 347     |       |
| Northampton, - - - - -           | 4,060  | 458     |       |
| Lehigh, - - - - -                | 1,650  | 1,455   |       |
| Wayne, - - - - -                 | 552    | 47      |       |
| Pike, - - - - -                  | 653    | 9       |       |
| Northumberland, - - - - -        | 1,253  | 879     |       |
| Union, - - - - -                 | 764    | 2,068   |       |
| Columbia, - - - - -              | 1,374  | 355     |       |
| Washington, - - - - -            | 2,207  | 2,388   |       |
| Indiana and Jefferson, - - - - - | 456    | 1,044   |       |
| Armstrong, - - - - -             | 1,194  | 712     |       |
| Westmoreland, - - - - -          | 2,585  | 1,322   |       |
| Fayette, - - - - -               | 2,177  | 1,056   |       |
| Bedford, - - - - -               | 1,079  | 1,113   |       |
| Franklin, - - - - -              | 2,016  | 2,016   |       |
| Montgomery, - - - - -            | 2,067  | 1,314   |       |
| Dauphin, - - - - -               | 1,179  | 1,587   |       |
| Lebanon, - - - - -               | 850    | 1,363   |       |
| Luzerne, - - - - -               | 1,994  | 124     |       |
| Susquehanna, - - - - -           | 981    | 300     |       |
| Bradford, - - - - -              | 1,219  | 333     |       |
| Huntingdon, - - - - -            | 1,011  | 1,616   | 1     |
| Beaver, - - - - -                | 1,280  | 819     |       |
| Allegheny, - - - - -             | 2,077  | 1,872   |       |
| Butler, - - - - -                | 870    | 533     |       |
| Mifflin, - - - - -               | 1,283  | 1,041   |       |
| Delaware, - - - - -              | 744    | 267     | 11    |
| Somerset, - - - - -              | 584    | 1,520   |       |
| Cambria, - - - - -               | 210    | 434     |       |
| Lycoming, - - - - -              | 903    | 982     |       |
| Potter and M'Kean, - - - - -     | 241    | 37      |       |
| Tioga, - - - - -                 | 656    | 174     |       |
| Greene, - - - - -                | 980    | 941     |       |
| Adams, - - - - -                 | 836    | 1,016   |       |
| Centre, - - - - -                | 1,305  | 944     |       |
| Clearfield, - - - - -            | 256    | 199     |       |
| Crawford, - - - - -              | 846    | 939     |       |
| Erie, - - - - -                  | 497    | 1,545   |       |
| Venango, - - - - -               | 541    | 752     |       |
| Mercer, - - - - -                | 599    | 1,303   |       |
| Perry, - - - - -                 | 1,180  | 540     |       |
| Warren, - - - - -                | 436    | 132     |       |
|                                  | 78,219 | 51,776  | 12    |
| Mr. Wolf's majority,             | 26,443 |         |       |

## INAUGURAL ADDRESS,

DELIVERED BY

GEORGE WOLF,

As Governor of Pennsylvania.

Tuesday, December 15th, 1829.

FELLOW-CITIZENS—In assuming upon myself the execution of the important trust, which by the suffrages of my fellow-citizens has been confided to me, I avail myself of this solemn occasion, thus publicly, to express to those citizens my grateful acknowledgments for their unmerited kindness, so freely and so signally bestowed, and to assure them of the anxious solicitude I shall ever feel, for their welfare and happiness, and of my unceasing endeavors, whilst in their service, to merit in some measure this distinguished mark of their confidence.

If in the course of the frequent vicissitudes and changes inseparable from our elective form of government, but salutary and essential to the preservation of its purity, and the faithful administration of its concerns, the wisest and most experienced of our citizens, when called to discharge its highest functions, have not failed to evince those sensations of diffidence and distrust, which the magnitude and difficulty of the trust inspired; what feelings of despondency and fearful anxiety must not be awakened in the breast of him, one of the humblest of your citizens, who is about to enter upon the same arduous duties, under circumstances at once adverse, intricate and embarrassing, who can lay no claim to other than the ordinary endowments of nature, and who cannot fail to be peculiarly conscious of his own deficiencies and imperfections.

But, if notwithstanding all the discouraging circumstances by which I feel myself surrounded, an honest zeal for the public good; if an ardent desire to promote the general welfare and happiness of the people; if an assiduous and untiring devotion to the advancement of their best interests; and if an unwearied industry in the faithful discharge of official duties, can in any measure compensate for the absence of those accomplishments and attainments, so necessary and desirable in the character of a chief magistrate, of a great and growing commonwealth, or will in some degree justify the choice which its citizens have made, I trust I may be permitted to say, without incurring the imputation of vanity or presumption, that such shall not be wanting on my part.

That in the discharge of the various and complicated duties which have been assigned to me, I shall often err, admits of no doubt; to be exempt from error is not the lot of frail humanity: voluntary errors will not be committed; for such as are involuntary, and result from the weakness and imperfection of our nature, I shall bespeak the indulgence and forbearance of my fellow citizens, firmly relying on their candor, intelligence and discrimination, to ascribe them to the proper source.

In administering the affairs of the government, the constitution of this state and of the union, which in your presence I have this day solemnly sworn to support, will be my guides. The immutable principles of justice and of equal rights, on which they are based, will be zealously guarded and maintained. The powers vested in the executive branch of the government, by the constitution, will be exercised with that caution and discretion which their importance demands, and so as in no case to transcend the limits prescribed by that instrument. All laws, the execution of which falls within the scope of executive duties, will be carried into effect, in such manner as to insure equal and exact justice to all.

The republican maxims, that the people are the source of all political power; that governments are instituted for their benefit; that those who administer them are their servants, bound to obey their will, so far as that will can be distinctly known or ascertained; accountable to them for all their official acts, and responsible to them for all wilful omissions of duty, have been, and will continue to be cherished by me.

In the distribution of the executive patronage, the most delicate, and certainly the least desirable of all its operations, the public good alone will be consulted; selfish considerations will be repudiated and rejected. Officers have been established by the constitution and laws of the commonwealth, for the accommodation and convenience of the people, and to aid in carrying into effect the operations of the government in all its various ramifications and details. *Sinecures* never were contemplated either by the framers of the constitution or the Legislature; no individual therefore, can expect to be appointed to an office of trust or profit, until he shall have established a character for moral integrity, industry, sobriety and a capacity to discharge his official duties personally and without a reliance on others.—Justice to the public, as well as the moral character of the state itself, demand a rigid adherence to this rule,

and it is earnestly hoped and expected, that every good citizen of the commonwealth, will contribute his aid to carry it into complete operation and effect. He who has been dishonest in his private transactions, or has proved unfaithful in the matter of a private trust, can have no claim to public confidence; it would be iniquitable and unjust, that the idle incompetent individual should be suffered to pocket the emoluments of an office, the duties of which he has neither the capacity nor the inclination to perform, whilst the competent industrious citizen, who would discharge its duties with honor to himself and advantage to the public, is doomed to be overlooked and neglected. Sound morality as well as public policy require, that the ruinous and desolating sin of intemperance should be discountenanced and rooted out of society, not encouraged by the bestowal of places of trust and profit on its votaries. It is manifest from the very nature and design of our civil institutions, that those to whom any part of the public business is entrusted, should be such as will make it their business, not only thoroughly to understand their duty, but who will, also, industriously and faithfully attend to its performance.

To maintain relations with the general government and those of our sister states, at once friendly and conciliatory, will be my constant aim; to sustain the former in all its measures, tending to promote the general welfare as it will be my duty, so also will it accord with my inclination and best wishes; should encroachments unhappily be made by either, on the rights of the state or any of its citizens, they will be resisted in a manner becoming the dignity of a great and independent sovereignty.

With regard to the great question of internal improvement (about which there seems to be some diversity of opinion, and upon which it may be expected that I should express my own,) whether considered in reference to the powers of the general government, to aid in constructing works of internal improvement, of a national character by the appropriation of money for such subjects; or in reference to the policy of this state, in constructing useful and necessary works of improvement within its own limits, at its own expense, and under the immediate supervision and control of its constituted authorities; I can truly say, that I have never doubted the former, and that nothing has yet transpired to induce me to question the latter.

That Pennsylvania, patriotic, enlightened and prosperous, blessed with a constitution securing to her citizens the highest privileges man is destined to enjoy upon the earth; containing a population, intelligent, industrious and enterprising; and possessing a soil capable of the highest possible state of cultivation; rich in her agricultural, her manufacturing and mineral productions is destined, at no remote period, by a wise course of legislation and a skilful husbanding of her resources, to become, as from her local position and the physical advantages she so pre-eminently enjoys, she of right ought to, the brightest star in our political galaxy, can scarcely admit of a doubt. First in the march of internal improvement, Pennsylvania will be the last to recede from a system which promises so much, and from which, by pursuing a judicious and prudent course of policy, there is so little to fear. A system of internal improvement progressive in its character, advancing towards its final consummation, steadily but surely; conducted skilfully and on principles of prudence and economy; not suffered in its course to outstrip the credit, or to impair the public confidence in the fiscal operations of the state, ought in my opinion, to form a prominent feature in our state policy.

The internal wealth and resources of the state, consisting of agricultural productions, which may be increased to an incalculable extent; of iron ores and coal, anthracite and bituminous, imbedded in our hills and our valleys almost without limit and without stint; besides a variety of other valuable productions which are constantly de-

veloping themselves, cannot be made available to their possessors, or to add to the general wealth and prosperity of the community, without the aid of such artificial communications, as will facilitate their transportation and conveyance from the places where they are produced or deposited, to such points and places where they may be profitably converted and disposed of to the uses for which God and Nature have designed them.—But to open such communications must be the work of time, to enable our citizens to reap the golden harvest, anticipated, we must not suffer our impatience to force us into measures which in the end may greatly retard, if not entirely defeat the object we have so much at heart—by attempting too much we shall only embarrass our operations, and protract the accomplishment of our designs; the credit of the state and the public confidence in its ability to meet its engagements must keep pace with the spirit of improvement to ensure its success; should these fail, the system itself must sink—against such a state of things it is our duty to guard. As a real friend to a system of internal improvement such as I have described; as one to whom the character as well as the prosperity of the state, and the comforts and conveniences of all its citizens cannot fail to be subjects of the deepest solicitude and concern, I would take occasion respectfully to suggest, whether we would not be more likely to ensure success to the system itself, by confining, for the present, all our energies as well as all the means of the state to the works already commenced, and to the gradual extension of such as require to be extended to answer their original design or to render them useful and profitable to the public; thereby ensuring their speedy completion and securing to the treasury an additional source of revenue which will relieve it from embarrassment, inspire confidence in its resources, and give a new impetus to the public mind and feelings in favor of commencing and conducting to successful completion, hereafter, other important objects of enterprise and public utility.

To aid, encourage, and protect agriculture, commerce, and manufactures, the three important branches of our national industry, as well as the great sources of wealth and prosperity to our citizens, and, I may add, of real independence to our common country, are powers to be exercised exclusively by Congress, and with that care and caution which shall secure to the one, equal advantages with the other. It cannot be denied, however, that the latter branch of our industry, and which is of vital importance to the people of Pennsylvania, is still in a great measure in its infancy, and requires the artificial stimulus of legislation, to bring it to that state of perfection in which it may take its rank in point of prosperity with, and contribute to the successful advancement of the other two. It is believed that the late act of Congress, “in alteration of the several acts, imposing duties on imports” has gone far to produce the result desired; the efficacy of the provisions of the act just mentioned to give vigor and permanency to our manufacturing establishments, will soon be fully tested; and should the experiment made, be found inadequate to attain the end desired, we may safely confide in that august body, within whose province the subject rests, that the proper remedy will be applied. The talents and enlightened patriotism, too, of the delegation representing this state in the national legislature, give ample assurance, that the honor of the state, and the true interests of its citizens, have been deposited in safe hands, and that they will neither be compromised nor neglected. That the protecting system will continue to be cherished by the mass of our citizens, who cannot fail to perceive that on the permanency of that course of policy, their best interests will materially depend, can scarcely admit of a doubt; and so long as the people continue to cherish the system, there will be little cause to fear, that their representatives will run counter to it. Although the legislatures of the different states can exercise no im-

mediate control over this important and deeply interesting subject; yet the expression of its opinions and views by the legislature of a state to the Congress of the United States, in relation to the great measures of national policy depending before that body, will not fail to command a respectful attention, and be received with that deference which is due from the national government to the interests and wants of one of its constituent members. There are, however, other branches of productive industry, which properly fall within the scope of the municipal regulations of the state governments, and over which a salutary influence may be shed by legislative enactments, tending to protect those engaged in them against imposition and loss, and to ensure to their labour its legitimate return; such are some of the mechanic arts and other branches of business pursued by the working classes, immediately connected with them. Every legislative enactment, having for its object, to foster and encourage this useful and valuable portion of our citizens, is an incentive to a laudable emulation to excel in every species of industry embraced within its provisions; and it is a duty of the first obligation imposed upon those entrusted with the administration of Government, to infuse into the ranks of industry, a spirit of filial confidence, that their interests will not be treated with indifference and neglect by those who are bound to protect them, and to furnish the assurance, that they, too, are objects of the care and solicitude of those who emphatically are the guardians of the people's rights.

It will not be expected, that, on an occasion such as the present, any thing should be said in reference to the state of the commonwealth, or the measures to be submitted to the deliberations of the legislature during the present session; the message of my respected predecessor has presented both in detail. But I would call the attention of that portion of my fellow citizens, who compose the legislative branch of the government, to one or two topics, the first of which, it seems to me, no executive magistrate can abstain from pressing on the attention of the legislature, without being justly chargeable with a culpable neglect of duty; I mean that clause of the constitution which enjoins that “the legislature shall as soon as conveniently may be, provide by law for the establishment of schools throughout the state, in such manner that the poor may be taught gratis,” an injunction which I trust no statesman will disregard, or philanthropist treat with neglect. This call has been so frequently made by the eminent statesmen who have preceded me in the executive department of this government, that I fear a repetition of it now, will be considered as forming a subject too stale and hackneyed to be productive of any beneficial effects; but as some of those calls have heretofore produced favorable results, may I not be permitted to indulge the hope, that the enlightened body, I am now addressing, will turn their attention to the injunction itself as being one, which considering the high source from which it emanates, is entitled to their unqualified deference and respect. The philanthropic design, and patriotic intention of the framers of the constitution cannot, certainly, be passed over, with indifference, by any legislative body which views the subject of education, in all its important bearings, as well with regard to the evils resulting to society from a want of that moral and scholastic instruction to which a large portion of our citizens, who are now destitute of the means of obtaining them, is doomed; as in reference to the stability and permanency of our free institutions themselves; which must always materially depend on the virtue and intelligence of the people. It is an incontrovertible truth, that civil liberty never can flourish in the same soil with ignorance; to be duly appreciated and rationally enjoyed, the ample privileges it confers, and the rich blessings it imparts, must be felt and understood; without the lights of education, the only true source of correct information, this never can be accomplished. That legislature therefore,

which shall have devised and brought to maturity a system of education, by means of primary or common schools, to be established throughout the state, and supported by its own munificence and liberality on a scale so broad and extensive as to reach every village and neighborhood, and which shall ensure to every indigent child in the commonwealth the rudiments of learning at least, will not only have contributed largely to the perpetuation of our free institutions, but reared to itself a monument of imperishable fame.

Our judiciary system too, would seem to require revision, and ought, it is believed, to form another subject for the serious deliberations of the legislature. Under the present system, the time of the judges of the supreme court is so constantly engrossed and occupied, and their labours have become so onerous and incessant, that there is no opportunity afforded for reading or reflection, which to inspire confidence in their decisions on new and important questions, which are constantly arising, and which are to become the settled law of the land, are all essential and important: besides the constant accumulation of business arising from obvious causes, notwithstanding the efforts of the judges to keep it down, and the unavoidable delays consequent thereon, are becoming evils of no small magnitude.—Whether establishing a tribunal to sit as a court of errors and appeals; increasing the number of judges on the bench of the supreme court, or so organizing the present courts as to ensure a more equal distribution of labor among the judges of the supreme court, and those of the common pleas, having a tendency to expedite the public business, and to give more vigour and efficiency to the administration of the laws, would afford the better remedy, is a question submitted with great deference to the wisdom of the legislature.

With an anxious desire on my part, to cultivate a spirit of friendship, harmony and good will with all those connected with the administration of the government, and more especially with those who constitute its legislative department, I pledge myself, that to all their measures, tending to promote the public good, I will yield a cheerful and hearty concurrence, asking in return a reciprocity of good feeling on their part, together with their aid and co-operation in such measures, tending to the same object, as the executive may from time to time find it necessary and expedient to recommend.

Permit me, fellow citizens, before closing this address to congratulate you on the happy state and condition of the commonwealth, and of our common country.—Whilst in the old world, we find one portion of it has been visited with the desolating scourge of war, and drenched with the blood of its unoffending subjects, and other portions of it have been convulsed by internal commotions, and risings of the people, driven to desperation by the chilling hand of poverty, or the more deadly and desolating grasp of absolute famine and want, the natural concomitants of arbitrary power and oppression; We have been permitted to enjoy the inestimable blessings of a profound peace; of prosperity unexampled in the history of nations; of a government based immediately on the will of the people, and administered on the purest principles of republican simplicity; of laws mild and humane, administered peaceably but promptly, and executed even unto the death of the offender, without tumult or confusion, and without producing other sensations in the public mind than those of acquiescence in, or submission to the justice of the penalties they inflict; of liberty, civil and religious, secured to us by written constitutions, bearing in their train the freedom of speech, the freedom of the press, and last, though not least, the free exercise of the rights of conscience, privileges, which it is devoutly hoped, no American citizen will ever relinquish, but with his life, whatever may be the specious pretext to induce the sacrifice. In short, we inhabit a country, which, from its earliest infancy to the present day, Providence, by the most signal manifestations of its goodness and protecting care, seems to have

most distinctly marked for its own. And permit me here emphatically to say, that if there is a nation on the face of the earth, which, more than any other, is bound to be devoted to its God by all the sacred ties of gratitude and love, that nation is the American people.

Having now, fellow citizens, briefly delineated to you some of the general principles, by which in the course of my administration I shall be governed, and adverted to others which will be cherished and maintained, I shall, in the fear, and as I humbly trust, under the guidance and direction of that all wise Being, in whose hands are the destinies of men and of nations, proceed to the discharge of my duty.

## REPORT

### *Of the Commissioners of the Internal Improvement Fund.*

To the Senate of the Commonwealth of Pennsylvania.

In obedience to a resolution of the Senate, of the 14th ult. the Commissioners of the Internal Improvement fund report,

That the accompanying statement exhibits an account of the receipts and payments, by the commissioners of the fund; from the 7th day of February, 1829, to the first day of November, 1829, and from the first day of November to first December, 1829, from which it appears, that on the last mentioned day, there was a balance in the fund of \$63,078 99. The commissioners also submit the accompanying estimate of the probable receipts and payments, by them, from the first December, 1829, to the first February, 1831, inclusive. It is estimated that there will be a balance in the fund on the first of February next, of \$29,661 19. That on the first August next, there will be a deficiency of money in the fund, to meet the demands upon it, of \$77,838 81, and that there will be a further deficiency on the first day of February, 1831, of \$132,900. The estimate of probable receipts and payments, is confined to receipts applicable to, and payments on account of, interest on loans for canal and rail-road purposes.

The actual receipts during the ensuing year, it is confidently believed, will not be materially different from the estimated receipts, except so far as the estimate is founded on the probable receipt of canal tolls. The commissioners of the fund have not had the requisite information to enable them to make an accurate estimate on that subject. There is no probability that the receipts on account of tolls, will be less than the sum at which they have been fixed in the estimate submitted. The estimate includes all the money, that in the opinion of the commissioners, can be spared from the treasury during the ensuing year, in pursuance of the act of 22d April, 1829.

All which is respectfully submitted.

C. BLYTHE,  
DAVID MANN,  
A. MARON.

Harrisburg, December 11, 1829.

### *Statement of the Receipts and Payments of the Commissioners of the Internal Improvement Fund, from 7th February to 1st Nov. 1829.*

#### RECEIPTS.

|   |                    |
|---|--------------------|
| Permanent loan, per act of 18th Dec. 1828,  | \$800,000 00       |
| Temporary loan, per act of 22d April, 1829, | 1,518,838 92       |
| Permanent loan, per act of do.              | 779,123 88         |
| Premiums on loans,                          | 58,375 00          |
| Auction duties,                             | 25,000 00          |
| Resolution of Board of Canal Commissioners, | 106,000 00         |
| Balance on hand 7th February, 1829,         | 26,744 19          |
|   | <hr/> 3,314,081 99 |

#### PAYMENTS.

|  |              |
|--|--------------|
| Treasurer of the Board of Canal Commissioners, | 2,681,600 00 |
|--|--------------|



|   |                |
|---|----------------|
| Refunded state treasury,                                  | 100,000 00     |
| Repaid temporary loan, per act<br>of 18th Dec. 1828,      | 170,000 00     |
| Interest on do.   | 3,507 60       |
|   | 173,507 60     |
| Repaid temporary loan, per act<br>of 22d April, 1829,     | 172,000 00     |
| Interest on do.   | 3,396 51       |
|   | 175,396 51     |
| Holders of stock, interest on the several<br>canal loans, | 100,533 85     |
| Balance on hand 1st Nov. 1829,                            | 83,644 05      |
|   | \$3,314,081 99 |

*Statement, &c. continued from 1st November to 1st December, 1829.*

## RECEIPTS.

|   |              |
|---|--------------|
| Balance on hand 1st Nov. 1829, brought<br>down, | \$83,644 05  |
| Permanent loan, per act of 22d April, 1829,     | 64,955 00    |
| Auction duties,                                 | 30,000 00    |
| Dividends on bridge and turnpike stock,         | 19,640 00    |
| Collateral inheritances,                        | 10,742 19    |
| Escheats,                                       | 29 99        |
|   | \$209,011 23 |

## PAYMENTS.

|   |              |
|---|--------------|
| Refunded state treasury,                              | 100,000 00   |
| Repaid temporary loan, per act<br>of 22d April, 1829, | 45,000 00    |
| Interest on do.                                       | 932 24       |
|   | 45,932 24    |
| Balance on hand 1st Dec. 1829,                        | 63,078 99    |
|   | \$209,011 23 |

|  |           |
|--|-----------|
| Of said balance, for payment of<br>interest, | 62,161 19 |
| For repayment of temporary loans,            | 917 80    |
|  | 63,078 99 |

*Estimate of the probable Receipts and Payments by the Commissioners of the Internal Improvement Fund, from 1st December, 1829, to 1st February, 1831, inclusive.*

|  |              |
|--|--------------|
| 1830. RECEIPTS.                                |              |
| Balance in fund, 1st Dec. 1829,                | 62,161 19    |
| Jan. 31. Auction duties per act of 1827,       | 25,000 00    |
| State treasury, per act of 22d April,<br>1829, | 100,000 00   |
|  | \$187,161 19 |

## PAYMENTS.

|  |              |
|--|--------------|
| Feb. 1. Interest on stock loan of 1826,                  | 7,500 00     |
| Interest on stock loan of 1827,                          | 25,000 00    |
| Interest on stock loan of March, 1828,                   | 50,000 00    |
| Interest on stock loan of Dec. 1828,                     | 20,000 00    |
| Interest on stock and temporary<br>loans of April, 1829, | 55,000 00    |
| Balance in the fund 1st Feb. 1830,                       | 29,661 19    |
|  | \$187,161 19 |

## RECEIPTS.

|  |              |
|--|--------------|
| Balance in fund, 1st February, 1830,     | 29,661 19    |
| July 31. Auction duties per act of 1827, | 25,000 00    |
| Auction duties per act of 1826,          | 15,000 00    |
| Turnpike road and bridge stock,          | 13,000 00    |
| Collateral inheritances,                 | 7,000 00     |
| Canal tolls,                             | 10,000 00    |
| State treasury, per act 22d April, 1829, | 25,000 00    |
| Deficiency on 1st August, 1830,          | 77,838 81    |
|  | \$202,500 00 |

|   |           |
|---|-----------|
| 1830. PAYMENTS.                         |           |
| Aug. 1. Interest on stock loan of 1826, | 7,500 00  |
| Interest on stock loan of 1827,         | 25,000 00 |
| Interest on stock loan of March, 1828,  | 50,000 00 |
| Interest on stock loan of Dec. 1828,    | 20,000 00 |

|  |              |
|--|--------------|
| Interest on stock and temporary loans<br>of April, 1829,     | 60,000 00    |
| Interest on loans for 1830, estimated at<br>3,000,000 dolls. | 40,000 00    |
|  | \$202,500 00 |

## RECEIPTS.

|  |              |
|--|--------------|
| Nov. 30. Auction duties per act of 1826, | 15,000 00    |
| Turnpike road and bridge stock,          | 8,000 00     |
| Collateral inheritances,                 | 5,000 00     |
| Escheats,                                | 100 00       |
| Canal Tolls,                             | 10,000 00    |
| 1831.                                    |              |
| Jan. 31. Auction duties per act of 1827, | 25,000 00    |
| State treasury per act 22d April, 1829,  | 25,000 00    |
| Deficiency on 1st Feb. 1831,             | 132,900 00   |
|  | \$221,000 00 |

## PAYMENTS.

|  |              |
|--|--------------|
| Feb. 1. Interest on stock loan of 1826,                        | 7,500 00     |
| Interest on stock loan of 1827,                                | 25,000 00    |
| Interest on stock loan of March, 1828,                         | 50,000 00    |
| Interest on stock loan of Dec. 1828,                           | 20,000 00    |
| Interest on stock loan of 1829,                                | 55,000 00    |
| Interest on loans for 1830, estimated<br>at 3,000,000 dollars, | 63,500 00    |
|  | \$221,000 00 |

## FROM MANUSCRIPTS

IN POSSESSION OF THE AMER. PHILOSOPHICAL SOCIETY.

## SWEDISH DOCUMENTS.

Donation in favour of John Rysing Commissary of the College of Commerce, of as much land in New Sweden as he can cultivate with 20 to 30 peasants.

UPSAL, DEC. 12, 1653.

We Christians, &c. make known, that by grace and favour, and likewise in consideration of the faithful and zealous services that the Commissary of the general college of commerce, our very dear and very faithful John Rysing, has heretofore and is still disposed to render so long as he shall live, we give and grant, to and by this letter patent do give and grant, to himself, his wife and to their legitimate male heirs and their descendants, as much land in the West Indies, and New Sweden, as he shall be able to cultivate with 20 to 30 peasants; Ceding to him the aforesaid country, with all its dependences, in woods, fields, fisheries, rivers and mill seats, and all other properties upon the land or water, of whatever name, to enjoy, employ and keep the same, in the same manner and with the same franchises as our nobles, and as a perpetual property. — Conformably to the conditions established by the resolution of Noorhoping of the year 1604, and other regulations, accordingly let all regulate themselves, whose duty it is, giving to the said John Rysing, or to his legitimate male heirs, in this respect no species of obstacle, prejudice or damage, we order our governor in that country to follow exactly these directions, granting to the said John Rysing so much land as he shall be able to occupy with 20 to 30 peasants, according to the terms of this our donation.

Done as above.

Letter patent by which John Rysing is nominated Commissary and assistant Counsellor of New Sweden.

Upsal Dec. 12, 1653.

We Christians &c. make known, that having directed our very faithful subject, John Rising, formerly Secretary of the general College of Commerce to make, a voyage to New Sweden, in order there to aid for a certain period our present Governor of the said country, agreeably to the orders and instructions which he has received from the said college, and being willing that in consequence of the hazards & fatigue he will experience during so long a voyage, his pay & support be there rendered certain, we command that the said Sieur John Rysing,

in virtue of this letter patent, and in the capacity of Commissary of the said general college of commerce, shall receive annually the sum of twelve hundred dollars in silver, in addition to the special appointments which he may receive from the company of the South; and that so long as he shall there continue, let all there regulate themselves agreeably hereto. And we order particularly to our General College of Commerce, to place the said John Rysing upon their list of appropriations for the said sum of 1,200 dollars, silver, causing the same to be sent to him in due time every year.

Done as above,

CHRISTIANA.

L. CANTERSTEEN.

To the Chamber of Finances, in relation to the money necessary for the voyage of John Rysing, to New Sweden.

UPSAL DEC. 12, 1653.

Christiana, &c.

Health to our friends and liege vassals, each and every of the counsellors of the Kingdom and of the Chamber. As we have granted and assigned to the Commissary of the College of Commerce, John Rysing, for his equipment and voyage to New Sweden, the sum of one thousand Rix Dollars, in consequence thereof we will and order, that you so direct, that he receive immediately and without delay the said 1000 Rix Dollars, particularly as our service and that of the kingdom requires that the vessel which has remained for a long time at Gottenburg, ready to sail, should depart for New Sweden, as aforesaid. By so doing you will fulfill our Gracious will, &c.

Done as above.

CHRISTIANA.

L. CANTERSTEEN.

To John Printz, Commandant of New Sweden, in relation to the Company of the South.

UPSAL, DEC. 12, 1653.

Christiana &c. Health &c. Governor John Printz.—The press of business and other obstacles have prevented us ourselves from regulating all those things which the importance and utility of the Company of the South and our own interests demand. We have, until that we shall be able to make other disposition, of the same placed this care in the hands of our general College of commerce. We therefore will and order that you regulate yourselves according to the orders of the said college, doing and executing, for our service and benefit, for those of the kingdom, and of the said company, every thing that it shall enjoin and direct. By so doing you will fulfil our gracious will, &c.

CHRISTIANA.

L. CANTERSTEEN.

Memoir for the Commissary John Rysing when he shall depart for New Sweden.

UPSAL, DEC. 12, 1653.

I.

As it is important to her Majesty, for purposes as well of security as of commerce, that the River of the South in New Sweden, where we have established a harbour, be fortified, protected and defended as far as is practicable. The Governor of the said place should be careful, particularly, that the said river, with its harbours, its mouth, the entrance on the two coasts and its course upwards be, as far as is necessary and practicable, always in proper condition and at our disposal, as well in regard to the passage of the vessels which ascend the said river as for those which descend for the purpose of exporting those merchandizes which the country furnishes.

2.

As however the river is useless at those places where the country on either coast does not belong to her majesty, nor the company of the South, the Governor should content himself with securing the country by extending our possessions upon the two coasts as much as is possible, agreeably to justice and good faith, but

without a breach of friendship with the English and Dutch, or exposing to risk what we already possess.

3.

He should employ similar discretion in regard to the extension of the country itself, upon the western side of the river, so that if we can with prudence and propriety, and by means of the co-operation of the English and Dutch, without hostility or any risk to what we already possess, take possession of the land, and by that means extend our limits, we will employ to that end all our energy; proceeding along the shores of the river as far as it may be convenient for security and for commerce.

4.

With respect to the fortress that the Dutch have built upon our coast, if he cannot induce them to abandon it by arguments and serious remonstrances and without resorting to hostilities, it is better that our subjects avoid the latter confining themselves solely to protestations, and suffer the Dutch to occupy the said fortress, than that it should fall into the hands of the English who are the more powerful, and of course the most dangerous in that country. But it is proper that a fortress be constructed lower down towards the mouth of the river, below that of the Dutch, in order to defend the passage, and render theirs useless. Employing, however, the mildest measures, because hostilities will in no degree tend to increase the strength of the Swedes in the country aforesaid, more particularly as by a rupture with the Dutch, the English may seize the opportunity to take possession of the aforesaid fortress, and become in consequence very dangerous neighbours to our possessions in the said country.

5.

In order to the success of the company, and for the benefit of the country itself, it is useful to employ every means that may favor and facilitate commerce, therefore her majesty has judged it proper, and directs that immediately upon the receipt of this memoir, he observe strictly that no merchandize belonging to Swedish subjects which may arrive into or depart from the country, whether belonging to the inhabitants of New Sweden, not connected with the company, or to inhabitants of other provinces or countries, dependent upon the crown of Sweden, pay in duty or indemnity but two per cent. and even that the said merchandize be free of duty, &c. if sold immediately to, or be employed in commerce, with the savages. And so soon as they shall return here with their merchandizes, the said persons shall be exempt from all duties. But foreigners, as well for merchandizes imported into, or exported from New Sweden, shall be obliged to pay Rix dollar for every hundred, and to such it shall not be permitted to ascend the river with their vessels as they may deem fit, nor to trade with the savages, but only with the company. With respect to the company, they shall retain the privileges already granted to them by her majesty, that is to say, that there as well as here, upon the transportation or exportation of its merchandizes, whether of the kingdom of Sweden, or of New Sweden, it shall pay neither duty nor import to the crown.

6.

With respect to the duties which shall be levied upon foreigners or our own subjects, as well as the excises and other similar imports which shall be established in the country, it is the will of her majesty that they be employed in the defence of the country, to the profit and advantage of the company of the south, until her majesty shall hereafter explain herself in relation thereto.

7.

To encourage the cultivation of the land in New Sweden, her majesty has resolved and ordained, and it is the duty of the governor on the part of her majesty to assure every one, that all who wish to purchase portions of land, either from the company or the savages, as subjects recognizing the jurisdiction of the crown of Sweden, shall enjoy in respect to the lands thus purchased, all franchises and allodial privileges, themselves and their descendants forever; being assured that they shall be admitted into the company, or secured in the franchi-

ses aforesaid. Nevertheless no one is to enter into possession of any portion of land without the sanction of the Governor, in order that no one should be deprived, improperly of what he already possesses.

8.

Before the Governor of New Sweden leaves that country to return here, he shall render the Commissary Rysing an exact account of all the affairs of justice and police, and of the revenues of the company and similar subjects. But he shall place, in the mean time, and until new orders on our part, into the hands of John Amundson, all that relates to the military and to the defence of the country; establishing in the interim, a council formed of the best instructed and most noble officers in the country, of which Rysing shall be director—in such a manner, however, that neither he, in his charge, nor John Amundson as Governor of militia, in his, shall decide or approve any thing, without reciprocally consulting each other. The whole for the service and advantage of her majesty and of the company. To which end, the Governor shall give to them, until they shall receive new instructions from us, written directions which shall serve for their guide in order that all be executed with justice and security, and that the government of the place be duly maintained. Should, however, the Governor remain longer in the country, he shall accept, as commissary and assistant counsellor, the aforesaid John Rysing, and in the council those whom he shall judge the most proper; causing, as he has been directed, the same to decide all affairs after deliberation and with a unanimous agreement.

9.

In relation to these things the care of which has been particularly confided to Commissary John Rysing, the College of the Chambers confers upon him the full power and permission that her majesty has conceded to him, in which the instructions and memoirs which to him have been given, will serve as his rule of conduct.

Given as above.

CHRISTIANA.

### METEOROLOGICAL REGISTER,

NOVEMBER, 1829—KEPT AT CHILISQUAKE, BY J.P. SANDERSON.

| Days | Barometer. |      |      | Thermometer |    |    | Atmosp. Variations. |         |
|------|------------|------|------|-------------|----|----|---------------------|---------|
|      | 9          | 12   | 3    | 9           | 12 | 3  | A. M.               | P. M.   |
| 1    |            |      |      |             |    |    |                     |         |
| 2    | 29 4       | 29 4 | 29 4 | 43          | 48 | 50 | Clear               | Cloudy  |
| 3    | 29 4       | 29 4 | 29 4 | 40          | 44 | 48 | Cloudy              | Cloudy  |
| 4    | 29 5       | 29 5 | 29 5 | 41          | 48 | 48 | Clear               | Cloudy  |
| 5    | 29 5       | 29 5 | 29 5 | 41          | 46 | 47 | Cloudy              | Cloudy  |
| 6    | 29 4       | 29 4 | 29 4 | 39          | 45 | 47 | Cloudy              | Cloudy  |
| 7    | 29 1       | 29 0 | 28 8 | 40          | 44 | 45 | Rain                | Rain    |
| 8    |            |      |      |             |    |    |                     |         |
| 9    | 29 4       | 29 4 | 29 4 | 37          | 45 | 48 | Cloudy              | Sunshn. |
| 10   | 29 0       | 28 9 | 28 9 | 48          | 50 | 47 | Rain                | Cloudy  |
| 11   | 29 1       | 29 2 | 29 2 | 32          | 34 | 30 | Cloudy              | Sunshn. |
| 12   | 29 5       | 29 5 | 29 5 | 22          | 27 | 30 | Sunshn.             | Cloudy  |
| 13   | 29 6       | 29 6 | 29 5 | 48          | 27 | 28 | Clear               | Cloudy  |
| 14   | 29 4       | 29 4 | 29 4 | 32          | 38 | 37 | Cloudy              | Cloudy  |
| 15   |            |      |      |             |    |    |                     |         |
| 16   | 29 6       | 29 5 | 29 5 | 30          | 41 | 43 | Cloudy              | Cloudy  |
| 17   | 29 2       | 29 2 | 29 2 | 46          | 51 | 53 | Rain                | Rain    |
| 18   | 29 2       | 29 2 | 29 2 | 37          | 46 | 50 | Clear               | Clear   |
| 19   | 29 1       | 29 2 | 29 2 | 37          | 39 | 40 | Cloudy              | Sunshn. |
| 20   | 29 5       | 29 5 | 29 5 | 22          | 29 | 34 | Clear               | Cloudy  |
| 21   | 29 6       | 29 6 | 29 6 | 30          | 35 | 36 | Cloudy              | Rain    |
| 22   |            |      |      |             |    |    |                     |         |
| 23   | 28 9       | 28 9 | 28 9 | 50          | 42 | 38 | Cloudy              | Cloudy  |
| 24   | 29 4       | 29 4 | 29 4 | 27          | 30 | 30 | Cloudy              | Cloudy  |
| 25   | 29 5       | 29 5 | 29 5 | 25          | 30 | 35 | Clear               | Cloudy  |
| 26   | 29 5       | 29 5 | 29 5 | 31          | 34 | 35 | Snow                | Snow    |
| 27   | 29 6       | 29 6 | 29 6 | 20          | 29 | 33 | Clear               | Clear   |
| 28   | 29 7       | 29 7 | 29 7 | 18          | 35 | 37 | Clear               | Clear   |
| 29   |            |      |      |             |    |    |                     |         |
| 30   | 29 3       | 29 2 | 29 1 | 31          | 35 | 47 | Rain                | Rain    |

### METEOROLOGICAL REGISTER.

According to Fahrenheit, in the shade, the temperature of the weather at Mauch Chunk was as follows during the time specified.

| Date.     | Before 8 a.m. | Noon. | Sunset. | Depth of rain. | Depth of Snow. | Dissolved Snow. |
|-----------|---------------|-------|---------|----------------|----------------|-----------------|
| 1829.     |               |       |         | Inches.        |                |                 |
| November. |               |       |         |                |                |                 |
| 1         | 42            | 47    | 50      | .18            |                |                 |
| 2         | 41            | 55    | 51      | .01            |                |                 |
| 3         | 37            | 47    | 43      | .02            |                |                 |
| 4         | 40            | 51    | 48      |                |                |                 |
| 5         | 39            | 49    | 45      | .07            |                |                 |
| 6         | 35            | 44    | 44      |                |                |                 |
| 7         | 43            | 45    | 41      | .16            |                |                 |
| 8         | 42            | 47    | 44      | .40            |                |                 |
| 9         | 32            | 61    | 48      | .01            |                |                 |
| 10        | 49            | 53    | 44      |                |                |                 |
| 11        | 27            | 36    | 30      | .10            | .04            |                 |
| 12        | 18            | 30    | 27      |                |                |                 |
| 13        | 14            | 35    | 30      |                | .03            |                 |
| 14        | 31            | 38    | 37      |                | 1.65           | .16             |
| 15        | 26            | 44    | 38      |                |                |                 |
| 16        | 29            | 40    | 42      | .03            |                |                 |
| 17        | 47            | 50    | 50      | .36            |                |                 |
| 18        | 42            | 54    | 47      | .17            |                |                 |
| 19        | 39            | 44    | 34      | .33            |                |                 |
| 20        | 15            | 33    | 31      |                |                |                 |
| 21        | 33            | 40    | 38      |                |                |                 |
| 22        | 36            | 45    | 45      | .13            |                |                 |
| 23        | 58            | 47    | 36      | .03            |                |                 |
| 24        | 25            | 32    | 28      | .40            | .01            |                 |
| 25        | 14            | 35    | 33      | .35            |                |                 |
| 26        | 31            | 38    | 35      |                | .95            | .10             |
| 27        | 27            | 37    | 35      |                |                | .07             |
| 28        | 19            | 43    | 36      |                |                |                 |
| 29        | 34            | 40    | 37      |                |                |                 |
| 30        | 28            | 34    | 40      | .30            | 2.63           | .33             |

Before 8—993 is the number of degrees of the Thermometer during the month.

Days.

993 ÷ 30 = 3 add before 8.

1284 ÷ 30 = 42 add at Noon.

1137 ÷ 30 = 39 add at Sunset.

3)114(38=Mean average per day during the 11th month.

The quantity of Rain that fell,

3.05

*Lehigh Pioneer.*

An idea of the value of property in Market street may be formed from the terms on which two stores are about to be erected near Fourth street. The lot is about thirty feet front, and is leased for ten years at the rent of \$1,400 per annum. Two brick stores are to be built upon the lot by the lessee, which at the end of the term, become the property of the owner of the ground.—*N. G.*

Another idea of the value of property in Market street may be formed from the fact, that the rent of a certain store not a great distance from the lot above mentioned; has, within the last ten or twelve years, ranged from six hundred to sixteen hundred dollars.—*Phila. Gaz.*

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# THE REGISTER OF PENNSYLVANIA.

DEVOTED TO THE PRESERVATION OF EVERY KIND OF USEFUL INFORMATION RESPECTING THE STATE.

EDITED BY SAMUEL HAZARD.

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PHILADELPHIA, DEC. 26, 1829.

NO. 104.

## PRESIDENT'S MESSAGE.

(Continued from page 389.)

On an examination of the records of the Treasury, I have been forcibly struck with the large amount of public money which appears to be outstanding. Of the sum thus due from individuals to the government, a considerable portion is undoubtedly desperate; and in many instances, has probably been rendered so by remissness in the agents charged with its collection. By proper exertions, a great part, however, may yet be recovered, and whatever may be the portions respectively belonging to these two classes, it behoves the government to ascertain the real state of the fact. This can be done only by the prompt adoption of judicious measures for the collection of such as may be made available. It is believed that a very large amount has been lost thro' the inadequacy of the means provided for the collection of debts due to the public, and that this inadequacy lies chiefly in the want of legal skill, habitually and constantly employed in the direction of the agents engaged in the service. It must, I think, be admitted, that the supervisory power over suits brought by the public, which is now vested in an *accounting* officer of the treasury, not selected with a view to his legal knowledge, and encumbered as he is with numerous other duties, operates unfavorably to the public interest.

It is important that this branch of the public service should be subjected to the supervision of such professional skill as will give it efficiency. The expense attendant upon such a modification of the executive department would be justified by the soundest principles of economy. I would recommend, therefore, that the duties now assigned to the agent of the treasury, so far as they relate to the superintendence and management of legal proceedings, on the part of the United States, be transferred to the Attorney General, and that this officer be placed on the same footing, in all respects, as the Heads of the other departments—receiving like compensation, and having such subordinate officers provided for his department, as may be requisite for the discharge of these additional duties. The professional skill of the Attorney General, employed in directing the conduct of Marshals and District Attorneys would hasten the collection of debts now in suit, and hereafter, save much to the government. It might be further extended to the superintendence of all criminal proceedings for offences against the United States. In making this transfer, great care should be taken, however, that the power necessary to the Treasury Department be not impaired; one of its greatest securities consisting in a controul over all accounts, until they are audited or reported for suit.

In connexion with the foregoing views, I would suggest, also, an inquiry, whether the provisions of the act of Congress, authorizing the discharge of the persons of debtors to the government, from imprisonment, may not, consistently with the public inter-

est, be extended to the release of the debt, where the conduct of the debtor is wholly exempt from the imputation of fraud. Some more liberal policy than that which now prevails, in reference to this unfortunate class of citizens, is certainly due to them, and would prove beneficial to the country. The continuance of the liability, after the means to discharge it have been exhausted, can only serve to dispirit the debtor, or where his resources are but partial, the want of power in the government to compromise and release the demand, instigates a fraud, as the only resource for securing a support to his family. He thus sinks into a state of apathy, and becomes a useless drone in society, or a vicious member of it, if not a feeling witness of the rigor and inhumanity of his country. All experience proves that oppressive debt is the bane of enterprise; and it should be the care of a republic not to exert a grinding power over misfortune and poverty.

Since the last session of Congress, numerous frauds on the treasury have been discovered, which I thought it my duty to bring under the cognizance of the United States' Court for this district by a criminal prosecution. It was my opinion, and that of able counsel who were consulted, that the cases came within the penalties of the act of the 17th Congress, approved 3d March, 1823, providing for the punishment of frauds committed on the Government of the United States. Either from some defect in the law or in its administration, every effort to bring the accused to his trial under its provisions proved ineffectual; and Government was driven to the necessity of resorting to the vague and inadequate provisions of the common law. It is therefore my duty to call your attention to the laws which have been passed for the protection of the Treasury. If, indeed, there be no provisions by which those who may be unworthily entrusted with its guardianship, can be punished for the most flagrant violations of duty, extending even to the most fraudulent appropriation of the public funds to their own use, it is time to remedy so dangerous an omission. Or, if the law has been perverted from its original purposes, and criminals, deserving to be punished under its provisions, have been rescued by legal subtleties, it ought to be made so plain, by amendatory provisions as to baffle the arts of perversion, and accomplish the ends of its original enactment.

In one of the most flagrant cases, the Court decided that the prosecution was barred by the statute which limits prosecutions for fraud to two years. In this case all the evidences of fraud, and indeed, all knowledge that a fraud had been committed, were in possession of the party accused, until after the two years had elapsed. Surely the statute ought not to run in favor of any man while he retains all the evidences of his crime in his own possession; and, least of all, in favor of a public officer who continues to defraud the Treasury and conceal the transaction for the brief term of two years. I would therefore recommend such an alteration of

the law as will give the injured party and the Government two years after the disclosure of the fraud, or after the accused is out of office, to commence their prosecution.

In connexion with this subject, I invite the attention of Congress to a general and minute inquiry into the condition of the Government; with a view to ascertain what offices can be dispensed with, what expenses retrenched, and what improvements may be made in the organization of its various parts, to secure the proper responsibility of public agents, and promote efficiency and justice in all its operations.

The report of the Secretary of War will make you acquainted with the condition of our Army, Fortifications, Arsenals, and Indian Affairs. The proper discipline of the Army, the training and equipment of the Militia, the education bestowed at West Point, and the accumulation of the means of defence, applicable to the Naval force, will tend to prolong the peace we now enjoy, and which every good citizen—more especially those who have felt the miseries of even a successful warfare—must ardently desire to perpetuate.

The returns from the subordinate branches of this service exhibit a regularity and order highly creditable to its character: both officers and soldiers seem imbued with a proper sense of duty, and conform to the restraints of exact discipline with that cheerfulness that becomes the profession of arms. There is need, however, of further legislation, to obviate the inconveniences specified in the report under consideration; to some of which it is proper that I should call your particular attention.

The act of Congress of the 2d March, 1821, to reduce and fix the military establishment, remaining unexecuted as it regards the command of one of the regiments of artillery, cannot now be deemed a guide to the Executive in making the proper appointment. An explanatory act, designating the class of officers out of which this grade is to be filled—whether from the military list; as existing prior to the act of 1821, or from it, as it has been fixed by that act—would remove this difficulty. It is also important that the laws regulating the pay and emoluments of officers generally, should be more specific than they now are. Those for example, in relation to the Paymaster and Surgeon General, assign to them the annual salary of two thousand five hundred dollars; but are silent as to allowances which, in certain exigencies of the service, may be deemed indispensable to the discharge of their duties. This circumstance has been the authority for extending to them various allowances, at different times, under former administrations; but no uniform rule has been observed on the subject. Similar inconveniences exist in other cases; in which the construction put upon laws by the public accountants may operate unequally, produce confusion, and expose officers to the odium of claiming what is not their due.

I recommend to your fostering care, as one of our safest means of national defence, the Military Academy. This institution has already exercised the happiest influence upon the moral and intellectual character of our army; and such of the graduates as, from various causes, may not pursue the profession of arms will be scarcely less useful as citizens. Their knowledge of the military art will be advantageously employed in the militia service; and, in a measure, secure to that class of troops the advantages which, in this respect, belong to standing armies.

I would also suggest a review of the Pension law, for the purpose of extending its benefits to every Revolutionary soldier who aided in establishing our liberties, and who is unable to maintain himself in comfort. These relics of the war of Independence have strong claims upon their country's gratitude and bounty.—The law is defective, in not embracing within its provisions all those who were, during the last war, disabled from supporting themselves by manual labour. Such an amendment would add but little to the amount of pensions, and is called for by the sympathies of the People, as well as by considerations of sound policy. It will be perceived that a large addition to the list of pensioners has been occasioned by an order of the late administration, departing materially from the rules which had previously prevailed. Considering it an act of legislation, I suspended its operation as soon as I was informed that it had commenced.—Before this period, however, applications under the new regulation had been preferred to the number of one hundred and fifty four; of which, on the fifth of March, the date of its revocation, eighty-seven were admitted. For the amount, there was neither estimate nor appropriation; and besides this deficiency, the regular allowance, according to the rules which have heretofore governed the Department, exceed the estimate of its late Secretary, by about fifty thousand dollars; for which an appropriation is asked.

Your particular attention is requested to that part of the report of the Secretary of War which relates to the money held in trust for the Seneca tribe of Indians. It will be perceived that, without legislative aid, the Executive cannot obviate the embarrassments occasioned by the diminution of the dividends on that fund; which originally amounted to one hundred thousand dollars, and has recently been invested in United States' three per cent. stock.

The condition and ulterior destiny of the Indian tribes within the limits of some of our States, have become objects of much interest and importance. It has long been the policy of Government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another, wholly incompatible with its success. Professing a desire to civilize and settle them, we have at the same time, lost no opportunity to purchase their lands and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, Government has constantly defeated its own policy, and the Indians in general receding further and further in the west, have retained their savage habits. A portion, however, of the Southern tribes, having mingled much with the whites, and made some progress in the civilized life, have lately attempted to erect an independent government within the limits of Georgia and Alabama. These States, claiming to be the only Sovereigns within their territories, extended their laws over the Indians; which induced the latter to call upon the United States for protection.

Under these circumstances, the question presented was, whether the General Government had a right to sustain those people in their pretensions? The Constitution declares, that "no new State shall be formed or erected within the jurisdiction of any other State," without the consent of its Le-

gislature. If the General Government is not permitted to tolerate the erection of a confederate State within the territory of one of the members of this Union, against her consent, much less could it allow a foreign and independent government to establish itself there. Georgia became a member of the Confederacy which eventuated in our federal union, as a sovereign State, always asserting her claim to certain limits; which, having been originally defined in her colonial charter, and subsequently recognized in the treaty of peace, she has ever since continued to enjoy, except as they have been circumscribed by her own voluntary transfer of a portion of her territory to the United States, in the articles of cession of 1802. Alabama was admitted into the Union on the same footing with the original States, with boundaries which were prescribed by Congress. There is no constitutional, conventional or legal provision which allows them less power over the Indians within their borders, than is possessed by Maine or New-York. Would the people of Maine permit the Penobscot tribe to erect an Independent Government within their State? and unless they did, would it not be the duty of the General Government to support them in resisting such a measure? Would the people of New York permit each remnant of the Six Nations within her borders, to declare itself an independent people, under the protection of the United States? Could the Indians establish a separate republic on each of their reservations in Ohio? And if they were so disposed, would it be the duty of this Government to protect them in the attempt? If the principle involved in the obvious answer to these questions be abandoned it will follow that the objects of this Government are reversed; and that it has become a part of its duty to aid in destroying the States which it was established to protect.

Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States, and advised them to emigrate beyond the Mississippi, or submit to the laws of the State.

Our conduct towards these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force, they have been made to retire from river to river, and from mountain to mountain, until some of the tribes have become extinct, and others have left but remnants to preserve, for a while, their once terrible names. Surrounded by the whites, with their arts of civilization, which, by destroying the resources of the savage, doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware, is fast overtaking the Choc-taw, the Cherokee, and the Creek. That this fate surely awaits them, if they remain within the limits of the States, does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new States whose limits they could control. That step cannot be retraced. A State cannot be dismembered by Congress, or restricted in the exercise of her constitutional power. But the people of those States and of every State ac-

tuated by feelings of justice and regard for our national honor, submit to you the interesting question, whether something can be done, consistently with the rights of the States, to preserve this much injured race.

As a means of effecting this end, I suggest, for your consideration, the propriety of setting apart an ample district west of the Mississippi, and without the limits of any State or Territory now formed, to be guaranteed to the Indian tribes, as long as they shall occupy it: each tribe having a distinct controul over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other controul from the U. States, than such as may be necessary to preserve peace on the frontier, and between the several tribes. There the benevolent may endeavour to teach them the arts of civilization; and by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race, and to attest the humanity and the justice of this government.

This emigration should be voluntary; for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers, and seek a home in a distant land. But they should be distinctly informed, that if they remain within the limits of the States, they must be subject to their laws. In return for their obedience, as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose that, in this state of things claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain, or passed them in the chase. Submitting to the laws of the states, and receiving, like other citizens, protection in their persons and property, they will, ere long, become merged in the mass of our population.

The accompanying report of the Secretary of the Navy will make you acquainted with the condition and useful employment of that branch of our service, during the present year. Constituting, as it does, the best standing security of this country against foreign aggression, it claims the especial attention of government. In this spirit, the measures which, since the termination of the last war, have been in operation for its gradual enlargement, were adopted, and it should continue to be cherished as the offspring of our national experience.— It will be seen, however, that notwithstanding the great solicitude which has been manifested for the perfect organization of this arm; and the liberality of the appropriations which that solicitude has suggested, this object has, in many important respects, not been secured.

In time of peace we have need of no more ships of war than are requisite to the protection of our commerce. Those not wanted for this object, must lie in the harbors, where, without proper covering, they rapidly decay; and, even under the best precautions for their preservation must soon become useless. Such is already the case with many of our finest vessels; which, though unfinished, will now require immense sums of money to be restored to the condition in which they were, when committed to their proper element. On this subject there can be but little doubt that our best policy would be, to discontinue the building of ships of the first and second class, and look rather to the possession of ample materials, prepared for the emergencies of war, than to the number of vessels we can float in a season of peace, as the index of our naval power. Judicious deposits in Navy Yards, of timber and other materials, fashioned under the hands of skilful workmen, and fitted for prompt application to their various purposes, would enable us, at all times, to construct vessels as fast as they can be manned, and save the heavy expense of repairs, except to such vessels as must be employed in guarding our commerce. The proper points for the establishment of these yards are indicated with so much

force in the report of the Navy Board, that, in recommending it to your attention, I deem it unnecessary to do more than express my hearty concurrence in their views. The Yard in this district, being already furnished with most of the machinery necessary for ship building, will be competent to the supply of the two selected by the board as best for the concentration of materials; and from the facility and certainty of communication between them, it will be useless to incur, at these depots, the expense of similar machinery, especially that used in preparing the usual metallic and wooden furniture of vessels.

Another improvement would be effected by dispensing altogether with the Navy Board, as now constituted; and substituting, in its stead, bureaus, similar to those already existing in the War department. Each member of the Board transferred to the head of a separate bureau, charged with specific duties, would feel, in its highest degree, that wholesome responsibility which cannot be divided without a far more than proportionate diminution of its force. Their valuable services would become still more so when separately appropriated to distinct portions of the great interests of the Navy, to the prosperity of which each would be impelled to devote himself by the strongest motives.—Under such an arrangement, every branch of this important service would assume a more simple and precise character, its efficiency would be increased, and scrupulous economy in the expenditure of public money promoted.

I would also recommend that the marine corps be merged in the artillery or infantry, as the best mode of curing the many defects in its organization. But little exceeding in number one of the regiments of infantry, that corps has besides its Lieutenant Colonel Commandant, five Brevet Lieutenant Colonels, who receive the full pay and emoluments of their brevet rank without rendering proportionate service. Details for marine service could as well be made from the infantry or artillery, there being no peculiar training requisite for it.

With these improvements, and such others as zealous watchfulness and mature consideration may suggest, there can be little doubt that under an energetic administration of its affairs, the Navy may soon be made any thing that the nation wishes it to be. Its efficiency in the suppression of piracy in the West India seas, and wherever its squadrons have been employed in securing the interests of the country, will appear from the report of the secretary, to which I refer you, for other interesting details. Among these I would bespeak the attention of Congress to the views presented in relation to the inequality between the army and navy as to the pay of officers. No such inequality should prevail between these brave defenders of our country; and where it does exist, it is submitted to congress whether it ought not to be rectified.

The report of the Post Master General is referred to as exhibiting a highly satisfactory administration of that Department. Abuses have been reformed; increased expedition in the transportation of the mail secured; and its revenue much improved. In a political point of view, this Department is chiefly important as affording the means of diffusing knowledge. It is to the body politic, what the veins and arteries are to the natural, conveying rapidly and regularly, to the remotest parts of the system, correct information of the operations of the Government, and bringing back to it the wishes and feelings of the People. Through its agency, we have secured to ourselves the full enjoyment of the blessings of a free press.

In this general survey of our affairs, a subject of high importance presents itself in the present organization of the Judiciary. An uniform operation of the Federal Government in the different States is certainly desirable; and, existing as they do, in the Union, on the basis of perfect equality, each state has a right to expect that the benefits conferred on the citizens of others should

be extended to hers. The judicial system of the United States exists in all its efficiency in only fifteen members of the Union: to three others, the Circuit Courts, which constitute an important part of that system, have been imperfectly extended; and, to the remaining six, altogether denied. The effect has been to withhold from the inhabitants of the latter, the advantages afforded by the Supreme Court to their fellow-citizens in other states, in the whole extent of criminal, and much of the civil authority of the Federal Judiciary. That this state of things ought to be remedied, if it can be done consistently with the public welfare, is not to be doubted; neither is it to be disguised that the origination of our judicial system is at once a difficult and delicate task. To extend the Circuit Courts equally throughout the different parts of the Union, and, at the same time, to avoid such a multiplication of members as would encumber the Supreme Appellate Tribunal, is the object desired. Perhaps it might be accomplished by dividing the Circuit Judges into two classes, and providing that the Supreme Court should be held by these classes alternately—the Chief Justice always presiding.

If an extension of the Circuit Court system to those States which do not now enjoy its benefits should be determined upon, it would, of course, be necessary to revise the present arrangement of the circuits, and even if that system should not be enlarged, such a revision is recommended.

A provision for taking the census of the people of the United States, will, to ensure the completion of that work within a certain time, claim the early attention of Congress.

The great and constant increase of business in the Department of State forced itself, at an early period, upon the attention of the Executive. Thirteen years ago, it was, in Mr. Madison's last message to Congress, made the subject of an earnest recommendation, which has been repeated by both of his successors; and my comparatively limited experience has satisfied me of its justness. It has arisen from many causes, not the least of which is the large addition which has been made to the family of independent nations, and the proportionate extension of our foreign relations. The remedy proposed was the establishment of a Home Department—a measure which does not appear to have met the views of Congress, on account of its supposed tendency to increase gradually & imperceptibly the already too strong bias of the federal system towards the exercise of authority not delegated to it. I am not, therefore, disposed to revive the recommendation, but am not the less impressed with the importance of so organizing that Department, that the Secretary may devote more of his time to our foreign relations. Clearly satisfied that the public good would be promoted by some suitable provision on the subject, I respectfully invite your attention to it.

The charter of the Bank of the United States expires in 1836, and its stockholders will most probably apply for a renewal of their privileges. In order to avoid the evils resulting from precipitancy, in a measure involving such important principles and such deep pecuniary interests, I feel that I cannot, in justice to the parties interested, too soon present it to the deliberate consideration of the Legislature and the people. Both the constitutionality and the expediency of the law creating this Bank, are well questioned by a large portion of our fellow citizens; and it must be admitted by all, that it has failed in the great end of establishing a uniform and sound currency.

Under these circumstances, if such an institution is deemed essential to the fiscal operations of the Government, I submit to the wisdom of the Legislature whether a national one, founded on government credit and its revenues, might not be devised, which would avoid all constitutional difficulties, and, at the same time, secure



all the advantages to the Government and country that were expected to result from the present Bank.

I cannot close this communication without bringing to your view the just claim of the representative of Commodore Decatur, his officers and crew, arising from the re-capture of the frigate Philadelphia, under the heavy batteries of Tripoli. Although sensible, as a general rule, of the impropriety of Executive interference under a Government like ours, where every individual enjoys the right of directly petitioning Congress, yet, viewing this case as one of a very peculiar character, I deem it my duty to recommend it to your favourable consideration. Beside the justice of this claim, as corresponding to those which have been since recognized and satisfied, it is the fruit of a deed of chivalrous daring, which infused life and confidence into our infant Navy, and contributed as much as any exploit in its history, to elevate our national character. Public gratitude, therefore, stamps her seal upon it; and the meed should not be withheld which may hereafter operate as a stimulus to our gallant tars.

I now commend you fellow-citizens, to the guidance of Almighty God, with a full reliance on his merciful Providence for the maintenance of our free institutions, and with an earnest supplication, that, whatever errors it may be my lot to commit, in discharging the arduous duties which have devolved on me, will find a remedy in the harmony and wisdom of your counsels.

ANDREW JACKSON.

**AUDITOR GENERAL'S REPORT**  
OF THE  
**FINANCES OF THE COMMONWEALTH,**  
FOR THE YEAR 1829.

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

AUDITOR GENERAL'S OFFICE,  
December 16, 1829. }

GENTLEMEN—In obedience to the provisions of the forty-sixth section of the "act of the 30th March, 1811," directing the State Treasurer and Auditor General, to deliver, annually, statements of the financial concerns of the commonwealth, to the Clerk of the House of Representatives, I have prepared, and caused to be printed, the following abstracts of the public accounts, commencing with the first day of December, 1828, and ending with the 30th day of November, 1829, both days inclusive; 600 copies of which have been delivered to that officer, agreeably to the directions of the act already referred to.

The schedules from No. 1 to 19, give a general view of the moneys received, and from No. 1 to 15, of the expenditures; each shewing the nature of the accounts upon which public moneys have been received, and of the claims upon which they have been paid away, during the above period; with an appendix exhibiting a statement of stocks held by the commonwealth, and of appropriations and loans remaining unpaid on 1st of December, 1829.

It may be proper to remark that the amounts due on temporary loans, per acts of 18th Dec. 1828, and 22d April, 1829, are included in, and make a part of the sum of 2,200,000 dollars, reported as due on stock loan, per last mentioned act.

Very respectfully, I have the honor to be,  
Gentlemen, Your obedient servant,  
DAVID MANN, Auditor General.

**SUMMARY STATEMENT of the Receipts at the State Treasury, for the year commencing the 1st day of Dec. 1828, and ending the 30th day of November, 1829.**

|                             |                  |
|-----------------------------|------------------|
| Lands and land office fees, | No. 1. 97,290 79 |
| Auction commissions,        | No. 2. 19,000 00 |
| Auction duties,             | 3. 140,518 75    |

|   |                  |
|---|------------------|
| Dividends on bank stock,                        | 4. \$121,289 00  |
| Dividends on bridge & turnpike stock,           | 5. 19,640 00     |
| Tax on bank dividends,                          | 6. 53,184 07     |
| Tax on offices,                                 | 7. 9,245 33      |
| Fees, secretary of state's office,              | 8. 1,779 23      |
| Tavern licenses,                                | 9. 50,031 67     |
| Duties on dealers in foreign merch'ze           | 10. 62,607 92    |
| State maps,                                     | 11. 691 36       |
| Collateral inheritances,                        | 12. 10,742 19½   |
| Pamphlet laws,                                  | 13. 55 46        |
| Militia end exempt fines,                       | 14. 3,000 71     |
| Tin pedlers' licenses,                          | 15. 210 00       |
| Escheats,                                       | 16. 74 24        |
| Commissioners of the internal improvement fund, | 17. 200,000 00   |
| Loans,  | 18. 2,811,238 92 |
| Old debts and miscellaneous,                    | 19. 9,738 38     |
|   | 3,610,338 02½    |
| Balance in treasury, 1st Dec. 1828,             | 189,815 46½      |
|   | \$3,800,153 49   |

No. I.

LANDS, FEES ON LANDS.

|   |              |
|---|--------------|
| Amount of purchase money with interest thereon, | 83,487 79    |
| Fees on warrants and patents.                   | 12,487 84    |
|   | OFFICE FEES. |
| Surveyor general's office,                      | 754 72       |
| Secretary of the land office,                   | 560 44       |
|   | 97,290 79    |

No. II.

AUCTION COMMISSIONS.

|                       |           |
|-----------------------|-----------|
| George W. Richards,   | 2,000     |
| Samuel C. Ford,       | 2,000     |
| John Jennings,        | 2,000     |
| Samuel W. Lippencott, | 2,000     |
| Peter Graham,         | 2,000     |
| Richard F. Allen,     | 2,000     |
| Mahlon Gillingham,    | 2,000     |
| Samuel D. Sagers,     | 1,000     |
| John B. Grant,        | 1,000     |
| Moses Thomas,         | 1,000     |
| T. B. Freeman,        | 1,000     |
| John D. Goodwin,      | 200       |
| C. J. Wolbert,        | 200       |
| George P. Bonin,      | 200       |
| Isaac Billings,       | 200       |
| T. B. Freeman,        | 100       |
| George Riter,         | 100       |
|                       | 19,000 00 |

No. III.

AUCTION DUTIES.

|                       |            |
|-----------------------|------------|
| Richard F. Allen,     | 29,469 37  |
| Mahlon Gillingham,    | 25,988 16  |
| John Jennings,        | 25,811 47  |
| Samuel C. Ford,       | 20,182 93  |
| Joshua Lippencott,    | 14,761 59  |
| Peter Graham,         | 8,835 43   |
| George W. Richards,   | 5,455 92   |
| Moses Thomas,         | 3,720 28   |
| Samuel W. Lippencott, | 1,695 44   |
| T. B. Freeman,        | 1,601 51   |
| John B. Grant,        | 788 58     |
| Jacob Hanson,         | 701 12     |
| Patrick M'Kenna,      | 421 67     |
| Charles J. Wolbert,   | 415 96     |
| George Riter,         | 260 77     |
| Isaac Billings,       | 188 38     |
| Samuel D. Sagers,     | 135 54     |
| John D. Goodwin,      | 58 89      |
| George P. Bonnin,     | 25 74      |
|                       | 140,518 75 |

## No. IV.

## DIVIDENDS ON BANK STOCK.

|                               |                   |
|-------------------------------|-------------------|
| Bank of Pennsylvania,         | 90,000 00         |
| Philadelphia Bank,            | 26,165 00         |
| Farmers' and Mechanics' bank, | 5,124 00          |
|                               | <u>121,289 00</u> |

## No. V.

## DIVIDENDS ON BRIDGE &amp; TURNPIKE STOCK.

|  |                  |
|--|------------------|
| Harrisburg bridge,   | 5,400 00         |
| Columbia bridge,   | 4,950 00         |
| Allegheny bridge,  | 2,400 00         |
| Monongahela bridge,  | 2,400 00         |
| Lewisburg bridge,  | 600 00           |
| Wilkesbarre bridge,  | 375 00           |
| Nescopeck bridge,  | 320 00           |
| Conemaugh bridge,  | 250 00           |
| Schuylkill bridge at Pottstown,                                    | 225 00           |
| Harrisburg and Middletown turn-<br>pike road company,              | 1,470 00         |
| Lancaster, Elizabethtown, & Mid-<br>dletown turnpike road company, | 500 00           |
| Easton & Wilkesbarre do.   | 500 00           |
| Susquehanna & York borough, do                                     | 250 00           |
|  | <u>19,640 00</u> |

## No. VI.

## TAX ON BANK DIVIDENDS.

|                                     |                  |
|-------------------------------------|------------------|
| York Bank,                          | 1828, \$ 944 84  |
| Do.                                 | 1829, 1,012 32   |
| Bank of Delaware county,            | 1828, 496 06     |
| Do.                                 | 1829, 496 06     |
| Bank of Montgomery co.              | 1828, 533 00     |
| Do.                                 | 1829, 586 70     |
| Gettysburg Bank,                    | 1828, 501 19     |
| Do.                                 | 1829, 501 27     |
| Farmers' Bk of Lancaster,           | 1828, 1,245 52   |
| Do.                                 | 1829, 1,510 20   |
| Lancaster Bank,                     | 1828, 410 50     |
| Monongahela Bank of<br>Brownsville, | 1828, 531 03     |
| Easton Bank,                        | 1828, 1,449 12   |
| Bank of Germantown,                 | 1828, 621 60     |
| Do.                                 | 1829, 673 40     |
| Pittsburg Bank,                     | 1828, 1,658 25   |
| Kensington Bank,                    | 1828, 695 10     |
| Southwark Bank,                     | 1828, 1,900 00   |
| Do.                                 | 1829, 2,000 00   |
| Schuylkill Bank,                    | 1828, 2,600 00   |
| Do.                                 | 1829, 2,800 00   |
| Mechanics' Bk of Philad.            | 1828, 2,862 68   |
| Do.                                 | 1829, 2,862 68   |
| Bank of N. Liberties,               | 1828, 1,600 00   |
| Do.                                 | 1829, 1,600 00   |
| Westmoreland B'k of Pa.             | 1828, 541 35     |
| Farmers' B'k of Bucks co.           | 1828, 103 06     |
| Northampton Bank,                   | 1828, 525 17     |
| Do.                                 | 1829, 525 17     |
| Harrisburg Bank,                    | 1828, 1,014 56   |
| Commercial B'k of Pa.               | 1828, 3,840 00   |
| Do.                                 | 1829, 3,840 00   |
| Bank of Chambersburg,               | 1828, 1,183 92   |
| Carlisle Bank,                      | 1828, 928 74     |
| Do.                                 | 1829, 951 62     |
| Bank of North America,              | 1829, 4,000 00   |
| Columbia bridge company,            | 1829, 1,054 80   |
| Bank of Chester county,             | 1829, 720 00     |
| Bank of Penn township,              | 1829, 930 00     |
| Farmers' B'k of Reading,            | 1829, 934 16     |
|                                     | <u>53,134 07</u> |

## No. VII.

## TAX ON OFFICES.

|  |          |
|--|----------|
| Frederick A. Muhlenburg, late<br>prothonotary of Lancaster co.                         | \$487 79 |
| John Goodwin, late prothonotary<br>district court, city and county<br>of Philadelphia, | 335 45   |

|   |                 |
|---|-----------------|
| Thomas Lowry, late prothonotary<br>Montgomery county                                    | 215 00          |
| Samuel A. Smith, late register &<br>recorder, Bucks county,                             | 100 50          |
| George W. Riter, recorder, Phil-<br>adelphia county,                                    | 2,278 45        |
| Randal Hutchinson, prothonotary,<br>district court, city and county<br>of Philadelphia, | 2,116 10        |
| John Geyer, register, Philad.co.  | 1,772 10        |
| Matthew Randall, prothonotary,<br>Philadelphia county,                                  | 656 08          |
| Frederick A. Muhlenberg, regis-<br>ter, Lancaster county,                               | 440 45          |
| John Markley, register and recor-<br>der, Montgomery county,                            | 374 40          |
| William M'Candless, prothonota-<br>ry, Allegheny county,                                | 303 39          |
| Nathaniel W. Sample, jr. prothon-<br>otary, Lancaster county,                           | 96 76           |
| Daniel Rhoads, register, Berks co.  | 40 00           |
| John Conrad, clerk court of quar-<br>ter sessions, Philadelphia co.                     | 29 86           |
|   | <u>9,245 33</u> |

## No. VII.

## FEES, SECRETARY OF STATE'S OFFICE.

|  |                 |
|--|-----------------|
| Amount of fees received and accounted for<br>by Calvin Blythe, Secretary of the Com-<br>monwealth, | <u>1,779 29</u> |
|--|-----------------|

## No. IX.

## TAVERN LICENSES.

|  |                       |
|--|-----------------------|
| James Young, treasurer of Allegheny<br>county, | \$2,246 74            |
| James Pinks, former                            | Armstrong 551 77      |
| Alexander Colwell, late                        | do 259 16             |
| David Johnston,                                | do 259 16             |
| William S. Cobean,                             | Adams 1,346 62        |
| Thomas Henry,                                  | Beaver 581 16         |
| James Thompson,                                | Butler 158 84         |
| Henry Williams, late                           | Bedford 387 00        |
| Thomas R. Gettys,                              | do 700 79             |
| David Bright,                                  | Berks 4,217 60        |
| Daniel Boileau, late                           | Bucks 1,020 80        |
| Andrew Apple,                                  | do 750 00             |
| James P. Bull,                                 | Bradford 183 92       |
| Alpheus Ingham,                                | do 200 00             |
| Ezra Cope, late                                | Chester 69 27         |
| Alexander Nesbitt, late                        | Cumberland 787 04     |
| Hendricks Weise,                               | do 25 81              |
| James M. Petrikin, former                      | Centre 100 00         |
| John G. Lowry,                                 | do 426 36             |
| Joseph Douglass,                               | Crawford 290 44       |
| Cornelius M'Donald,                            | Cambria 183 92        |
| Andrew M'Reynolds, late                        | Columbia 154 72       |
| Frederick Heisely, late                        | Dauphin 1,054 38      |
| Homer Eachus,                                  | Delaware 384 85       |
| Daniel Spangler,                               | Franklin 856 03       |
| James Boyle, late                              | Fayette 459 80        |
| John Inghram,                                  | Greene 221 35         |
| Walter Clark, late                             | Huntingdon 674 92     |
| Isaac Dorland,                                 | do 770 00             |
| William Lucas,                                 | Indiana 426 76        |
| Christopher Barr, late                         | Jefferson 8 36        |
| John Reynolds,                                 | Lancaster 6,106 32    |
| Jacob Goodhart, late                           | Lebanon 610 84        |
| Zurah Smith,                                   | Luzerne 552 72        |
| William Harris, jr. late                       | Lycoming 502 44       |
| Charles Saeger,                                | Lehigh 700 79         |
| Jonathan Smith,                                | Mercer 150 71         |
| Joseph B. Ard,                                 | Mifflin 828 32        |
| Henry Daub, late                               | Montgomery 1,212 60   |
| David C. Kulp,                                 | do 500 00             |
| Elihu Chadwick,                                | M'Kean 16 72          |
| Peter Shnyder,                                 | Northampton 1,114 74  |
| Peter Lazarus,                                 | Northumberland 468 16 |

|                          |                |          |                          |                   |           |
|--------------------------|----------------|----------|--------------------------|-------------------|-----------|
| Isaac Ziegler, former    | Northumberland | 217 79   | Samuel Wilson, late      | Union             | 581 12    |
| William Moulder          | Philadelphia   | 9,921 49 | Miron Parks              | Venango           | 100 00    |
| Dan'l M. Broadhead, late | Pike           | 334 40   | Isaac Leet, late         | Washington        | 1,148 05  |
| George Stroop, late      | Perry          | 584 96   | Samuel M'Farland,        | do                | 800 00    |
| William Farnham,         | Potter         | 25 00    | Alexander Johnston, late | Westmoreland      | 1,087 03  |
| Joseph Hammer,           | Schuylkill     | 290 43   | John King, late          | Warren            | 80 00     |
| Jacob Neff,              | Somerset       | 288 46   | William Pier,            | do                | 28 50     |
| Hiram Finch, late        | Susquehanna    | 303 76   | Nathaniel B. Eldred,     | Wayne             | 74 80     |
| Elihu Hill,              | Tioga          | 150 48   | Peter Ahl, late          | York              | 1,730 56  |
| Samuel Wilson, late      | Union          | 502 44   | John Bacon, late         | City of Philad'a. | 9,669 37  |
| John King, late          | Warren         | 70 00    | Thomas Phipps            | do.               | 4,775 00  |
| William Pier,            | do             | 91 96    | William Graham           | City of Pittsburg | 2,059 07  |
| Nathaniel B. Eldred,     | Wayne          | 79 60    | George Weitzel           | City of Lancaster | 616 88    |
| Isaac Leet, late         | Washington     | 237 00   |                          |                   |           |
| Samuel M'Farland,        | do             | 600 00   |                          |                   |           |
| Alexander Johnston, late | Westmoreland   | 700 80   |                          |                   |           |
| Peter Ahl, late          | York           | 3,111 17 |                          |                   |           |
|                          |                |          |                          |                   | 62,607 92 |

50,031 67

## No. X.

DUTIES ON DEALERS IN FOREIGN MER-  
CHANDIZE.

|                                 |                |          |
|---------------------------------|----------------|----------|
| William S. Cobean, treasurer of | Adams county   | 1,273 68 |
| John B. M'Pherson, late         | do             | 4 90     |
| James Young,                    | Allegheny      | 473 96   |
| Alexander Colwell, late         | Armstrong      | 512 44   |
| David Johnston,                 | do             | 319 00   |
| Thomas Henry,                   | Beaver         | 607 68   |
| James Thompson,                 | Butler         | 256 05   |
| Thomas R. Gettys,               | Bedford        | 400 21   |
| David Bright,                   | Berks          | 3,224 52 |
| Daniel Boileau, late            | Bucks          | 1,263 06 |
| Andrew Apple,                   | do             | 750 00   |
| James P. Bull, late             | Bradford       | 177 92   |
| Alpheus Ingham,                 | do             | 304 50   |
| Ezra Cope, late                 | Chester        | 2,000 06 |
| Alexander Nesbitt, late         | Cumberland     | 958 88   |
| Hendricks Weise                 | do             | 947 14   |
| John D. Petrikin, late          | Centre         | 100 00   |
| John G. Lowry,                  | do             | 461 49   |
| Joseph Douglass,                | Crawford       | 478 17   |
| Cornelius M'Donald,             | Cambria        | 133 00   |
| And'w M'Reynolds, late          | Columbia       | 432 98   |
| Frederick Heisely, late         | Dauphin        | 1,090 73 |
| Homer Eachus                    | Delaware       | 696 41   |
| Tbo. Forster, jr. former        | Erie           | 90 00    |
| Thomas Laird, late              | do             | 76 23    |
| Daniel Spangler,                | Franklin       | 813 72   |
| James Boyle, late               | Fayette        | 720 63   |
| John Inghram,                   | Greene         | 335 39   |
| Walter Clark, late              | Huntingdon     | 558 12   |
| Isaac Dorland,                  | do             | 610 00   |
| William Lucas,                  | Indiana        | 500 39   |
| Christopher Barr, late          | Jefferson      | 23 75    |
| John Reynolds,                  | Lancaster      | 3,804 84 |
| Jacob Goodhart, late            | Lebanon        | 546 14   |
| Zurah Smith,                    | Luzerne        | 632 28   |
| John Myers, late                | do             | 190 59   |
| William Harris, jr. late        | Lycoming       | 330 98   |
| Charles Saeger,                 | Lehigh         | 694 42   |
| Jonathan Smith,                 | Mercer         | 759 08   |
| Joseph B. Ard,                  | Mifflin        | 403 01   |
| Henry Daub, late                | Montgomery     | 1,609 10 |
| Elihu Chadwick,                 | M'Kean         | 3 57     |
| Peter Shnyder, late             | Northampton    | 1,556 12 |
| Frederick Haas, late            | Northumberland | 42 75    |
| Peter Lazarus,                  | do             | 448 48   |
| William Moulder                 | Philadelphia   | 5,950 49 |
| Daniel Brodhead, late           | Pike           | 189 76   |
| George Stroop, late             | Perry          | 424 61   |
| R. H. M'Clelland, former        | do             | 400 00   |
| Joseph Hammer                   | Schuylkill     | 340 10   |
| Jacob Neff,                     | Somerset       | 383 00   |
| Hiram Finch, late               | Susquehanna    | 356 02   |
| Elihu Hill,                     | Tioga          | 197 27   |

## No. XI.

## STATE MAPS.

|   |                |         |
|---|----------------|---------|
| William S. Cobean, treasurer of   | Adams county   | \$42 00 |
| Thomas Henry  | Beaver         | 42 75   |
| Henry Williams, late  | Bedford        | 10 00   |
| Thomas R. Gettys  | do             | 19 00   |
| David Bright  | Berks          | 57 00   |
| Alexander Nesbitt, late   | Cumberland     | 18 05   |
| Andrew M'Reynolds, late   | Columbia       | 47 50   |
| Frederick Heisely, late   | Dauphin        | 52 25   |
| Thomas Laird, late  | Erie           | 93      |
| Daniel Spangler   | Franklin       | 19 00   |
| Walter Clark, late  | Huntingdon     | 42 75   |
| Christopher Barr, late  | Jefferson      | 9 50    |
| John Reynolds   | Lancaster      | 31 63   |
| William Harris, jr. late  | Lycoming       | 60 75   |
| David C. Kulp   | Montgomery     | 9 50    |
| Elihu Chadwick  | M'Kean         | 14 25   |
| Frederick Haas, late  | Northumberland | 4 75    |
| Peter Lazarus   | do             | 9 50    |
| William Moulder   | Philadelphia   | 123 50  |
| George Stroop, late   | Perry          | 4 75    |
| Hiram Finch, late   | Susquehanna    | 9 50    |
| Samuel Wilson, late   | Union          | 33 25   |
| Alexander Johnston, late  | Westmoreland   | 14 25   |
| Alexander Mahon, state treasurer, for maps<br>taken by members of the legislature |                | 15 00   |
|   |                | 691 36  |

## No. XII.

## COLLATERAL INHERITANCES.

|                            |              |            |
|----------------------------|--------------|------------|
| David Bright, treasurer of | Berks county | \$237 19   |
| Daniel Boileau, late       | Bucks        | 322 57     |
| Ezra Cope, late            | Chester      | 57 33      |
| Joseph Hughes              | do           | 133 77     |
| Hendricks Weise            | Cumberland   | 123 25     |
| Frederick Heisely, late    | Dauphin      | 555 88     |
| Homer Eachus               | Delaware     | 507 66     |
| Daniel Spangler            | Franklin     | 24 42      |
| John Reynolds              | Lancaster    | 710 54     |
| Jacob Goodhart, late       | Lebanon      | 59 94½     |
| John King, late            | M'Kean       | 2 87       |
| David C. Kulp              | Montgomery   | 389 92     |
| Peter Shnyder, late        | Northampton  | 15 78      |
| William Moulder            | Philadelphia | 7,365 65   |
| John Wilson                | Perry        | 101 90     |
| Joseph Hammer              | Schuylkill   | 29 14      |
| Samuel M'Farland           | Washington   | 10 00      |
| Peter Ahl, late            | York         | 94 38      |
|                            |              | 10,742 19½ |

## No. XIII.

## PAMPHLET LAWS.

|                                 |               |       |
|---------------------------------|---------------|-------|
| William S. Cobean, treasurer of | Adams county, | \$ 47 |
| David Bright                    | Berks         | 5 70  |
| Henry Williams, late            | Bedford       | 3 00  |

|                         |             |              |
|-------------------------|-------------|--------------|
| Alexander Nesbitt, late | Cumberland  | 3 80         |
| Hendricks Weise         | do.         | 3 80         |
| Frederick Heisely, late | Dauphin     | 3 80         |
| Daniel Spangler         | Franklin    | 5 70         |
| Walter Clark, late      | Huntingdon  | 2 35         |
| Jacob Goodhart, late    | Lebanon     | 47           |
| Charles Saeger          | Lehigh      | 3 80         |
| John Reynolds           | Lancaster   | 4 23         |
| William Moulder         | Philada.    | 8 37         |
| George Stroop, late     | Perry       | 3 33         |
| Peter Shnyder, late     | Northampton | 47           |
| Joseph Hammer           | Schuylkill  | 1 42         |
| Samuel Wilson, late     | Union       | 4 75         |
|                         |             | <u>55 46</u> |

## No. XIV.

## MILITIA AND EXEMPT FINES.

|   |                 |
|---|-----------------|
| Nathaniel W. Sample, Jr. late inspector, under the act of 1814,   | \$642 00        |
| Nathaniel W. Sample, Jr. late inspector second brigade, fourth division, under act of 1822,             | 950 00          |
| George M'Feely, late inspector. first brigade, eleventh division, under act of 1822,                    | 42 00           |
| Daniel Sharpe, inspector first brigade, first division, under act of 1822,                              | 812 50          |
| Jacob Bahn, late inspector, second brigade, eleventh division, under act of 1822, paid by his surities, | 391 71          |
| David Bright, treasurer of Berks Co.  | 1 90            |
| Frederick Heisley, late Dauphin   | 5 70            |
| Homer Eachus Delaware   | 9 50            |
| John Inghram Greene   | 3 80            |
| Isaac Zeigler, late Northumberland  | 20 00           |
| William Moulder Philadelphia  | 121 60          |
|   | <u>3,000 71</u> |

## No. XV.

## TIN PEDLERS' LICENSES.

|  |               |
|--|---------------|
| Matthew Randall, prothonotary Philadelphia county      | \$120 00      |
| Nathaniel W. Sample, Jr. prothonotary Lancaster county | 30 00         |
| George Scott, prothonotary Bradford county,            | 60 00         |
|  | <u>210 00</u> |

## No. XVI.

## ESCHEATS.

|                                    |              |
|------------------------------------|--------------|
| Richard Oldham's estate, Franklin, | <u>74 24</u> |
|------------------------------------|--------------|

## No. XVII.

## COMMISSIONERS OF THE INTERNAL IMPROVEMENT FUND.

|  |                     |
|--|---------------------|
| Repaid state treasurer, the amount advanced by him to the commissioners of the internal improvement fund, per third section of the act of eighteenth December, 1828, | <u>\$200,000 00</u> |
|--|---------------------|

## No. XVIII.

## LOANS.

|   |              |
|---|--------------|
| Bank of Pennsylvania, stock loan pertaining to the Pennsylvania canal, per act of 24th March, 1828,                 | \$267,400 00 |
| York bank, and sundry individuals, stock loan pertaining to the Pennsylvania canal, per act of 18th December, 1828, | 800,000 00   |
| Commercial bank of Pennsylvania, temporary loan, per act of 18th December, 1828                                     | \$50,000     |
| Bank of Pittsburg   | 35,000       |
| Farmers' bank of Reading  | 25,000       |
| Bank of Montgomery county   | 25,000       |
| Carlisle bank   | 20,000       |
| Bank of Chambersburg  | 20,000       |

|                   |        |
|-------------------|--------|
| Schuylkill bank   | 10,000 |
| Northampton bank  | 10,000 |
| A. L. Beaumont    | 15,000 |
| O. H. Dibble      | 15,000 |
| <u>225,000 00</u> |        |

|   |              |
|---|--------------|
| Bank of Pennsylvania, temporary loan, per act of twenty-second April, 1829, | \$600,000 00 |
| Commercial bank of Pennsylvla.  | 156,338 92   |
| Philadelphia bank   | 100,000 00   |
| Harrisburg bank   | 100,000 00   |
| Bank of North America,  | 50,000 00    |
| Bank of the United States   | 50,000 00    |
| Columbia bridge company,  | 45,000 00    |
| Mechanics' bank of Philadelphia   | 30,000 00    |
| Bank of Northern Liberties  | 30,000 00    |
| Bank of Chester county  | 25,000 00    |
| Easton bank   | 22,000 00    |
| York bank   | 20,000 00    |
| Schuylkill bank   | 20,000 00    |
| Bank of Montgomery county   | 20,000 00    |
| Bank of Bucks county  | 15,000 00    |
| Bank of Chambersburg  | 13,000 00    |
| Lancaster bank  | 10,000 00    |
| Bank of Penn township   | 10,000 00    |
| Bank of Pittsburg   | 10,000 00    |
| Insurance company of the state of Pennsylvania                              | 25,000 00    |
| Union insurance company   | 10,000 00    |
| Franklin insurance company  | 10,000 00    |
| Philadelphia insurance company  | 10,000 00    |
| Delaware insurance company  | 10,000 00    |
| Stephen Girard  | 100,000 00   |
| O. H. Dibble,   | 20,000 00    |
| A. L. Beaumont  | 5,000 00     |
| George Eicholtz   | 2,500 00     |
| <u>1,518,838 92</u>   |              |

2,811,238 92

## No. XIX.

## OLD DEBTS AND MISCELLANEOUS.

|   |          |
|---|----------|
| Presly Neville, per Alexander Brackenridge, attorney for the commonwealth   | 4,597 62 |
| John Passmore's executors, per Samuel Douglas, attorney for the commonwealth  | 2,861 96 |
| Thomas R. Gettys, per William F. Boone, attorney for the commonwealth   | 340 89   |
| William Runkle, per Thomas M. Pettit, attorney for the commonwealth   | 53 37    |
| Charles Bovard, per Alexander Mahon, attorney for the commonwealth  | 37 00    |
| Robert Brown, per Daniel Stannard, attorney for the commonwealth  | 9 15     |
| John Norton's administrators, on account of Susquehanna lottery   | 450 58   |
| Daniel Heister, former register Chester county  | 200 00   |
| John Young, former brigade inspector on account of militia fines  | 32 00    |
| William Wilson, late superintendent eastern division Pennsylvania canal, sale of property belonging to the commonwealth | 44 12    |
| Commissioners for the improvement of the public ground, for lots sold   | 412 00   |
| Jabez Hyde, John M'Veens and Samuel H. Wilson, commissioners for exploring the North Branch of the Susquehanna river    | 387 17   |
| Ditto, for improving the Susquehanna  | 312 52   |
| <u>9,738 38</u>   |          |

## EXPENDITURES.

*Summary Statement of the payments at the Treasury, for the year commencing the first day of December, 1828, and ending the third day of November, 1829.*

|  | No. | dols.              | cts.      |
|--|-----|--------------------|-----------|
| Internal improvement                     | 1   | 3,049,894          | 01        |
| Expenses of government                   | 2   | 218,373            | 85        |
| Militia expenses                         | 3   | 17,738             | 22        |
| Pensions and gratuities                  | 4   | 27,800             | 32        |
| Education                                | 5   | 16,702             | 48        |
| Interest on loans                        | 6   | 91,725             | 00        |
| Internal improvement fund                | 7   | 168,787            | 18        |
| Pennsylvania claimants                   | 8   | 978                | 92        |
| State maps                               | 9   | 542                | 27        |
| Penitentiary at Philadelphia             | 10  | 6,000              | 00        |
| Penitentiary near Pittsburg              | 11  | 5,466              | 25        |
| Conveying convicts                       | 12  | 411                | 27        |
| Conveying fugitives                      | 13  | 287                | 58        |
| House of Refuge                          | 14  | 2,500              | 00        |
| Miscellaneous                            | 15  | 17,550             | 16        |
|  |     | 3,624,777          | 51        |
| Balance in the treasury first Dec. 1829, |     | 175,375            | 98        |
|  |     | <u>\$3,800,153</u> | <u>94</u> |

No. I.  
INTERNAL IMPROVEMENT.*Turnpikes.*

|                             |         |    |
|-----------------------------|---------|----|
| Philadelphia and Great Bend | \$2,353 | 32 |
| Butler and Kittaning        | 5,000   | 00 |
| Lycoming and Potter         | 1,449   | 27 |
| Milesburg and Smethsport    | 2,499   | 99 |
| Washington and Pittsburg    | 1,466   | 67 |
| Somerset and Bedford        | 3,000   | 00 |
|                             | 15,769  | 25 |

*Rivers and Creeks.*

Jacob Kryder, Michael Moser, Jacob Herring, commissioners for the improvement of Penn's creek, in Centre and Union counties, per act of third of March, 1829, 200 00

## CANALS.

|  |                    |           |
|--|--------------------|-----------|
| Commissioners of the internal improvement fund, out of the stock loan, per act of the 24th March, 1828,    | 267,400            | 00        |
| Commissioners of the internal improvement fund, out of the state treasury, per act of 18th December, 1828, | 200,000            | 00        |
| Commissioners of the internal improvement fund, out of the temporary loan, per act of 18th December, 1828, | 225,000            | 00        |
| Commissioners of the internal improvement fund, out of the permanent loan, per act of 18th December, 1828, | 800,000            | 00        |
| Commissioners of the internal improvement fund, out of the temporary loan, per act of 22d April, 1829,     | 1,518,838          | 92        |
|  | <u>\$3,011,238</u> | <u>92</u> |

## BRIDGES.

|   |        |    |
|---|--------|----|
| Danville bridge company, per act of 29th March, 1827,   | 10,000 | 00 |
| Commissioners of Cumberland county, for erecting a bridge over Conodogwinet creek, per act of 12th April, 1828, | 2,000  | 00 |
| Norristown bridge company, per  |        |    |

\*Of this sum \$2,630,738 92 applied to canal purposes.  
90,500 00 to repayment of tem. loan.  
91,000 00 to repayment of state treasury.

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act of 9th April, 1827, 6,000 00  
18,000,00

## STATE ROADS.

|  |     |    |
|--|-----|----|
| Jeduthan Gray, William Bates and Moses Higgins, commissioners for opening and improving a road from Smethsport, in M <sup>h</sup> Kean county, to the western boundary of the state, per act of twelfth April, 1828,                 | 186 | 00 |
| Commissioners of Bedford county for opening and making a road from David Hunter's mill, in said county, to intersect the Waynesburg, Greencastle and Mercersburg turnpike road, on the North mountain, per act of 2d February, 1828, | 416 | 20 |
| Commissioners of Franklin Co. for same road, per said act,   | 83  | 64 |
|  | 685 | 84 |

## PUBLIC GROUND.

|   |                    |           |
|---|--------------------|-----------|
| Commissioners for improving the public ground at Harrisburg, per act of the 14th April, 1828, | 4,000              | 00        |
|   | <u>\$3,049,894</u> | <u>01</u> |

No. II.  
EXPENSES OF GOVERNMENT.*Senate.*

|                                |        |    |
|--------------------------------|--------|----|
| Pay and mileage of the members | 15,114 | 90 |
| Clerks,                        | 2,083  | 45 |
| Transcribing                   | 775    | 00 |
| Sergeant-at-arms & door-keeper | 1,306  | 00 |
| Printing                       | 6,095  | 95 |
| Contingencies                  | 8,902  | 55 |
|                                | 34,277 | 85 |

*House of Representatives.*

|                                |        |    |
|--------------------------------|--------|----|
| Pay & mileage of the members,  | 46,625 | 90 |
| Clerks                         | 1,902  | 00 |
| Transcribing                   | 1,840  | 00 |
| Sergeant-at-arms & door-keeper | 1,358  | 00 |
| Printing                       | 9,358  | 37 |
| Contingencies                  | 11,674 | 98 |
|                                | 72,759 | 25 |

*Executive Department.*

|  |        |    |
|--|--------|----|
| Governor's salary                      | 3,000  | 00 |
| Secretary of the commonwealth's salary | 1,600  | 00 |
| Deputy secretary do.                   | 1,000  | 00 |
| Clerks                                 | 3,050  | 00 |
| Contingencies                          | 1,870  | 42 |
|  | 10,520 | 42 |

*Judiciary Department.*

|  |        |    |
|--|--------|----|
| Chief Justice's salary                                   | 2,666  | 64 |
| Associate Justices of the Supreme court, salary          | 8,000  | 00 |
| Circuit expenses   | 5,204  | 00 |
| Attorney General's salary                                | 264    | 00 |
| Presidents of courts of common pleas, salary and mileage | 29,871 | 11 |
| Judges of district courts                                | 8,700  | 00 |
| Recorders of mayors' courts                              | 2,394  | 04 |
| Associate judges, salary & mileage                       | 16,489 | 86 |
|  | 73,589 | 65 |

*Treasury Department.*

|                                 |       |    |
|---------------------------------|-------|----|
| State Treasurer's salary        | 1,400 | 00 |
| Clerks                          | 2,650 | 00 |
| Printing annual report for 1828 | 400   | 00 |
| Contingencies                   | 545   | 25 |
|                                 | 4,995 | 25 |

*Accountant Department.*

|                                 |       |    |
|---------------------------------|-------|----|
| Auditor General's salary        | 1,400 | 00 |
| Clerks                          | 2,300 | 00 |
| Printing annual report for 1828 | 75    | 00 |
| Contingencies                   | 671   | 72 |
|                                 | 4,446 | 72 |

| <i>Land Office.</i>   |             | <i>Joel Bailey, inspector first brigade,<br/>sixth division, salary</i>                      |             |
|---|-------------|--|-------------|
|   | DOLLS. CTS. |  | DOLLS. CTS. |
| Secretary of the Land Office, salary  | \$1,400 00  | Disbursements  | 683 40      |
| Clerks  | 3,781 72    |  | 982 40      |
| Contingencies   | 738 79      | Jeremiah Shappell, inspector second<br>brigade sixth division, salary                        | 279 57      |
|   | 5,920 51    | Disbursements  | 632 97      |
| <i>Surveyor General's Office.</i>   |             |  | 912 54      |
| Surveyor General's salary   | 1,400 00    | John H. Keller, inspector first brigade,<br>seventh division, disbursements                  | 146 00      |
| Clerks  | 3,150 00    | George Hess, late do. salary,  | 119 58      |
| Contingencies   | 442 52      | Disbursements  | 132 88      |
|   | 4,992 53    |  | 252 46      |
| <i>Contingent Expenses.</i>   |             | Jacob Hartz, inspector second brigade.<br>seventh division, disbursements                    | 137 25      |
| Paid electors of President & Vice-<br>President of the U. States,   | 1,328 10    | Joseph Wilt, late do. salary,  | 25 21       |
| Wardens of the port,  | 1,852 73    | Disbursements  | 335 72      |
| Stephen Duncan, chairman of the<br>joint committee, state library,  | 303 61      |  | 360 93      |
| William Musgrave, state librarian,  | 310 00      | John Ludwig, inspector first brigade<br>eighth division, salary                              | 250 00      |
| E. F. Cryder & co. printing for<br>state library,   | 96 39       | Disbursements  | 820 74      |
| Cameron and Stambaugh, printing<br>pamphlet laws for 1828-29,   | 1,498 75    |  | 1,070 74    |
| Henry Sprigman, stitching, cover-<br>ing and delivering do.   | 176 00      | Martin Weaver, administrator of John<br>Baldy, deceased, late inspector do.<br>disbursements | 43 51       |
| Solomon Sprigman, binding 200<br>copies do.   | 20 00       | Isaac Bowman, inspector second bri-<br>gade, eighth division, salary                         | 375 00      |
| James Trimble, boxes, packing, &c.  | 101 10      | Disbursements  | 63 72       |
| John Myers, carriage of the laws,   | 165 00      |  | 438 72      |
| Thomas Finney, do.  | 120 00      | Robert Fleming, inspector first brigade,<br>ninth division, salary                           | 38 00       |
| Elias Beidleman, do.  | 300 00      | Joseph J. Wallis, late do. salary  | 17 46       |
| Robert Dickey and Isaac Hover,<br>taking care of the state capitol,<br>during the recess of the legisla-<br>ture for 1828 and 1829, | 120 00      | Disbursements  | 53 57       |
| James Cameron, on account of prin-<br>ting the pamphlet laws for 1829<br>-30,   | 500 00      |  | 71 03       |
|   | 6,891 68    | John Horton, Jr. inspector second bri-<br>gade, ninth division, salary                       | 184 47      |
|   | 218,393 85  | Disbursements  | 93 60       |
|   |             |  | 277 47      |
| No. III.  |             | Ephram B. Gerould, late do. salary   | 26 66       |
| MILITIA EXPENSES.   |             | Disbursements  | 129 73      |
| George B. Porter, late adjutant general,<br>salary  | 375 00      |  | 156 39      |
| Daniel Sharpe, inspector first brigade,<br>first division, salary   | 812 50      | Henry Barnhart, inspector first brigade,<br>tenth division, salary                           | 79 54       |
| Thomas Snyder, inspector second bri-<br>gade, first division, salary  | 485 81      | John Hasson, inspector second brigade,<br>tenth division, salary                             | 224 14      |
| John Davis, inspector first brigade, sec-<br>ond division, salary   | 210 87      | Disbursements  | 199 77      |
| Samuel A. Smith, late do. salary  | 236 16      |  | 423 91      |
| Christian Snyder, late inspector second<br>brigade, second division, salary   | 136 61      | Edward Armor, inspector first brigade,<br>eleventh division, disbursements                   | 14 00       |
| Disbursements   | 19 39       | George M'Feely, late do. disbursements   | 13 50       |
|   | 156 00      | Samuel Davidson, inspector first bri-<br>gade, twelfth division, salary                      | 210 00      |
| Thomas Jones, inspector first brigade,<br>third division, salary  | 199 95      | Disbursements  | 107 00      |
| John Kerlin, inspector second brigade,<br>third division, disbursements   | 75 00       |  | 317 00      |
| John Filson, late do. salary  | 111 50      | David Fore, late do. salary  | 27 94       |
| Joel Baker, inspector second brigade,<br>fourth division, disbursements   | 165 00      | Disbursements  | 214 29      |
| Nathaniel W. Sample, Jr. late do. dis-<br>bursements per act of 29th March,<br>1819   | 148 00      |  | 242 23      |
| William Nes, inspector first brigade,<br>fifth division, salary   | 217 78      | Alexander Hanna, inspector second bri-<br>gade, twelfth division, salary                     | 196 00      |
| Disbursements   | 125 00      | John Hitchman, inspector first brigade,<br>thirteenth division, salary                       | 243 24      |
|   | 342 78      | Disbursements  | 119 00      |
| Michael Doudle, late do. disbursements  | 200 00      |  | 362 24      |
| Jacob Sanders, inspector second bri-<br>gade, fifth division, salary  | 61 33       | Thomas M'Quaide, late do. salary   | 102 94      |
| Disbursements   | 189 70      | Disbursements  | 291 47      |
|   | 251 03      |  | 394 41      |
| Thomas C. Miller, late do. salary,  | 152 37      | Joseph Eneix, inspector second brigade<br>thirteenth division, salary                        | 135 00      |
| Disbursements   | 259 90      | Disbursements  | 184 79      |
|   | 412 27      |  | 319 79      |
|   |             | John Park, inspector first brigade four-<br>teenth division, disbursements                   | 122 00      |
|   |             | Benjamin Anderson, late do. salary,  | 37 25       |
|   |             | Disbursements  | 364 85      |
|   |             |  | 402 10      |
|   |             | Lot Lantz, inspector second brigade,<br>fourteenth division, salary                          | 291 17      |

|  |          |          |                    |
|--|----------|----------|--------------------|
| Disbursements  | 159 00   | dol. cr. |                    |
|  |          |          | 450 17             |
| Andrew M'Farland, inspector first brigade, fifteenth division, salary            | 272 67   |          |                    |
| Disbursements  | 10 00    |          | 282 67             |
| Nathaniel Patterson, late do. disbursements                                      |          |          | 522 40             |
| Robert Orr, Jr. inspector second brigade, fifteenth division, salary             | 263 53   |          |                    |
| Disbursements  | 259 30   |          | 522 83             |
| Samuel Power, inspector first brigade, sixteenth division, salary                | 300 00   |          |                    |
| Disbursements  | 768 63   |          | 1,068 63           |
| Edward A. Reynolds, inspector second brigade, sixteenth division, salary         | 347 50   |          |                    |
| Disbursements  | 716 89   |          | 1,067 39           |
| George B. Porter, late adjutant general, repairs of the arsenal at Philadelphia, | 37 99    |          |                    |
| Do. exchange and transportation of arms,   | 45 75    |          |                    |
| Robert Love, transportation of arms,   | 6 75     |          |                    |
| Simon B. Kinton, do. do.   | 28 00    |          |                    |
| Daniel Sharp, do. do.  | 32 50    |          |                    |
| Do. cleaning and repairing arms,   | 82 75    |          |                    |
| George W. Tryon, do. do.   | 1,287 81 |          |                    |
| William Holtzworth, do. do.  | 44 50    |          |                    |
| John Bell, do. do.   | 50 00    |          |                    |
| John W. Salter, colours,   | 150 00   |          |                    |
| William Berrett, do. do.   | 102 25   |          |                    |
|  |          |          | <u>\$17,738 22</u> |

|   |           |
|---|-----------|
| No. IV.   |           |
| PENSIONS AND GRATUITIES.  |           |
| Amount of pensions & gratuities by special acts of the legislature, and under the power vested in the board for the relief of officers and soldiers of the revolutionary war, | 27,800 32 |

|                           |                  |
|---------------------------|------------------|
| No. V.                    |                  |
| EDUCATION.                |                  |
| Washington college,       | \$1,000 00       |
| Jefferson college         | 1,000 00         |
| Western university        | 2,400 00         |
| Dickinson college,        | 3,000 00         |
| Deaf and Dumb institution | 6,302 48         |
| Allegheny college         | 1,000 00         |
| Smethport academy         | 2,000 00         |
|                           | <u>16,702 48</u> |

|  |                  |
|--|------------------|
| No. VI.  |                  |
| INTEREST ON LOANS.   |                  |
| The bank of Pennsylvania and others, on the five per cent. stock loan of 1821  | 46,500 00        |
| The bank of Pennsylvania and others, on the five per cent. stock loan of 1824, | 30,000 00        |
| The bank of Pennsylvania and others, on the five per cent. stock loan of 1825, | 7,500 00         |
| The Harriaburg bank and others, on loan per act of first April, 1826,          | 7,725 00         |
|  | <u>91,725 00</u> |

|  |                   |
|--|-------------------|
| No. VII.                               |                   |
| INTERNAL IMPROVEMENT FUND.             |                   |
| Auction duties                         | \$80,000 00       |
| Premiums on loans,                     | 58,375 00         |
| Dividends on bridge and turnpike stock | 19,640 00         |
| Collateral inheritances,               | 10,742 19         |
| Escheats                               | 29 99             |
|  | <u>168,787 18</u> |

|                         |        |
|-------------------------|--------|
| No. VIII.               |        |
| PENNSYLVANIA CLAIMANTS. |        |
| Josiah Lewis            | 978 72 |

|  |        |
|--|--------|
| No. IX.  |        |
| STATE MAPS.  |        |
| Benjamin Tanner, for maps furnished per resolution of twenty-eighth March, 1825. | 542 27 |

|   |                 |
|---|-----------------|
| No. X.  |                 |
| PENITENTIARY AT PHILADELPHIA.   |                 |
| Thomas Sparks and William Davidson, per act of twenty-third April, 1829,  | 5,000 00        |
| Josiah Randall, treasurer of the board of inspectors, per thirteenth section of the act of twenty-third April, 1829 | 1,000 00        |
|   | <u>6,000 00</u> |

|  |                 |
|--|-----------------|
| No. XI.  |                 |
| PENITENTIARY AT PITTSBURG.   |                 |
| Board of inspectors, per act of 30th March, 1829                             | 2,000 00        |
| do. per act of 23d April, 1829   | 3,000 00        |
| Officers' salary, per ninth section of act of twenty-third April, 1829, viz: |                 |
| John Patten, warden  | 150 00          |
| William Cochran, overseer  | 100 00          |
| Thomas Graham, watchman  | 91 25           |
| Dr. William H. Denny, physician  | 75 00           |
| Aaron Williams, clerk  | 50 00           |
|  | <u>466 25</u>   |
|  | <u>5,466 25</u> |

|   |               |
|---|---------------|
| No. XII.                                      |               |
| CONVEYING CONVICTS.                           |               |
| David Laufman, deputy sheriff of Franklin co. | \$64 72       |
| D. Horner, do. Adams                          | 105 41        |
| Samuel Huntzinger, sheriff of Schuylkill      | 52 61         |
| Joseph Culbertson do. Franklin                | 85 97         |
| Morrison Underwood, late sheriff Westmoreland | 11 29         |
| John Hipple, sheriff Perry                    | 42 90         |
| David M'Fadden do Crawford                    | 48 37         |
|   | <u>411 27</u> |

|                                     |               |
|-------------------------------------|---------------|
| No. XIII.                           |               |
| CONVEYING FUGITIVES.                |               |
| Mahlon Hibbs,                       | \$63 15       |
| James Vanstavern and William Dubree | 61 90         |
| William Jaggars                     | 38 00         |
| George Eichelberger                 | 54 03         |
| John Broomhall                      | 60 50         |
|                                     | <u>287 58</u> |

|   |          |
|---|----------|
| No. XIV.  |          |
| HOUSE OF REFUGE.  |          |
| John S. Henry, treasurer of the House of Refuge, per act of second March, 1827, | 2,500 00 |

|  |          |
|--|----------|
| No. XV.  |          |
| MISCELLANEOUS.   |          |
| William Shannon, notifying presidential electors                               | 38 00    |
| John G. Osler, notifying presidential electors                                 | 79 50    |
| Thomas Wallace, notifying presidential electors                                | 66 25    |
| Sundry printers, for publishing the act relative to small notes,               | 1,037 65 |
| George S. Eisenhart, information relative to unpatented lands in Lehigh county | 1,138 50 |
| Daniel Small do York   | 1,617 50 |
| James Mathers do Mifflin   | 1,043 00 |
| James Black do Lancaster   | 81 00    |
| James O'Conner, do Bedford   | 1,026 00 |
| Matthias S. Richards do Berks  | 3,217 50 |
| Arthur Andrews do Chester  | 158 50   |
| Robert Beatty do Allegheny   | 1,359 50 |
| Henry Davis do Beaver  | 16 00    |
| Samuel L. Carpenter do Westmoreland  | 2,299 50 |
| Freeman Lewis do Fayette   | 201 00   |



|  |    |            |           |
|--|----|------------|-----------|
| John Bennet  | do | Luzerne    | 69 00     |
| William Wilson   | do | Lycoming   | 42 00     |
| Caleb Foulke   | do | Bucks      | 96 00     |
| Daniel A. Bertolet   | do | Montgomery | 618 00    |
| Eliphalet Mason  | do | Bradford   | 47 50     |
| Alex'r Brackenridge, collecting public money,  |    |            | 79 88     |
| Daniel Stanard   | do | do         | 8 51      |
| Thomas M. Pettit,  | do | do         | 2 66      |
| William F. Boone,  | do | do         | 17 04     |
| Benjamin M'Intire,   | do | do         | 20 00     |
| Archibald I. Findlay,  | do | do         | 10 00     |
| Samuel Douglass,   | do | do         | 143 00    |
| Alexander Mahon,   | do | do         | 86 53     |
| Charles S. Cox, professional services in<br>Commonwealth vs. Jacob G. Tryon  |    |            | 100 00    |
| Archibald I. Findlay, deputy escheator of<br>Franklin county, costs in Oldham's case,  |    |            | 29 26     |
| Obed Fainestock, costs in Commonwealth<br>vs. Gabriel Hiester,   |    |            | 17 86     |
| Thomas Wood, costs in Commonwealth vs.<br>Thomas Reyerson,   |    |            | 26 50     |
| Matthias Morris, costs in Commonwealth vs.<br>Isaac Griffith,  |    |            | 22 40     |
| Martin Weaver, costs in Commonwealth vs.<br>Harrisburg canal, &c.  |    |            | 89 75     |
| Christian Gleim, witness fees in   | do |            | 8 74      |
| Gabriel Hiester,   | do |            | 9 07      |
| Welsh & Miller, publishing circuit courts  |    |            | 16 00     |
| John M'Cord,   | do |            | 8 00      |
| Matthew Dawson, transportation of baggage<br>during the late war   |    |            | 26 88     |
| James Gault  | do | do         | 15 00     |
| Thomas M'Millan  | do | do         | 19 20     |
| George Schnell, furnishing rations during the<br>late war, per act of twenty-third Jan., 1829  |    |            | 300 00    |
| Walter Clark, treasurer of Huntingdon<br>county, tax on Peter Baynton's lands  |    |            | 13 68     |
| John G. Lowry, treasurer of Centre county,<br>tax on Peter Baynton's lands   |    |            | 66 64     |
| John Irwin, tax on Nicholson's lands in Ven-<br>ango county  |    |            | 27 31     |
| Isaiah Lukens, repairing state telescope,  |    |            | 251 75    |
| Frederick Heisely,   | do |            | 10 00     |
| Adam H. Orth, compiling a digest of road<br>and election laws,   |    |            | 500 00    |
| Henry Daub, treasurer of Montgomery co.<br>over-payment on his account of tavern licenses  |    |            | 17 25     |
| John Myers, late treasurer of Luzerne co.<br>over-payment on his acc't of retailer's licenses  |    |            | 5 00      |
| Homer Eachus, treasurer of Delaware coun-<br>ty, per centage allowed collectors of tax<br>on collateral inheritances                                       |    |            | 3 94      |
| John S. Wiestling, printing & binding 5 cer-<br>tificate books for the Auditor General's office  |    |            | 67 50     |
| Solomon Sprigman, stock books for Auditor<br>General's office  |    |            | 67 00     |
| James Loudon, stock books for state treasury   |    |            | 57 00     |
| M'Carty & Davis, 34 copies of Purdon's Digest  |    |            | 170 00    |
| John M. Barclay, commissioner of loans, expenses   |    |            | 269 16    |
| Joseph Kingsberry and others, surveying,<br>&c. lands in Bradford county, per act of<br>eighth April, 1829,  |    |            | 515 75    |
| Bostwick Noble and Samuel L. Woods, ap-<br>prehending Thomas Dunn, jr. who was<br>charged with the murder of Joseph Fry,<br>reward offered by the governor |    |            | 200 00    |
|  |    |            | 17,550 16 |

### CANAL COMMISSIONERS' REPORT.

*The Canal Commissioners of Pennsylvania, respectfully submit the following Report:*

The act to provide for the commencement of a canal, to be constructed at the expense of the state, and to be styled the Pennsylvania canal, was passed on the 25th of February, 1826. This act contained an appropriation

for the purpose, of 300,000 dollars. To this sum the Legislature has added, since that period, by annual appropriations, 6,000,000, making the whole sum appropriated for canal and rail road purposes, 6,300,000. In addition, there has been placed to the credit of the treasurer of the board, the loans negotiated by the Governor since the first of October last, to meet the pressing demands upon some of the divisions, amounting to 106,000 dollars.

The whole distance of the Pennsylvania canal, authorised to be constructed by the several acts of assembly, and placed under contract prior to the first of June, 1829, is 419½ miles. Nine miles have been placed under contract since that period, making the whole distance now under contract, 428½ miles, viz.

|   |            |
|---|------------|
| From Pittsburgh to Johnstown,   | Miles. 104 |
| From the mouth of the Juniata to Smith's mills, above Huntingdon,   | 90         |
| From Middletown to Muncy hills, upon the west branch of the Susquehanna, and including ten miles placed under contract between Middletown and Columbia, | 100        |
| From Northumberland up the North branch of the Susquehanna to Nanticoke falls,  | 55         |
| From Bristol to Easton,   | 60         |
| From Bemus' mill, on French creek, to Muddy run,  | 19½        |

Of this distance 195 miles are navigable, viz:

|  |    |
|--|----|
| From Pittsburgh to the head of the dam at Blairsville, | 75 |
| From the mouth of the Juniata to Lewistown,            | 45 |
| From Middletown to Clark's ferry,                      | 24 |
| From the mouth of the Juniata to Northumberland,       | 41 |
| On the French creek feeder,                            | 10 |

A great portion of the remaining 233½ miles is nearly finished, and the whole is in a state of rapid progress to completion.

The sum required to pay the debts due upon the respective divisions of the canal, according to the reports of the acting commissioners and superintendents, is \$1,398,790 67

And the whole amount of work of every description, yet to be done upon the several divisions, as estimated by the principal engineers, is 2,060,742 39

The amount already expended, is 6,406,000 00

\$9,863,533 06

Of which sum, there has been paid 47,132 73½ dolls. for damages, and 95,000 dollars upon the Pennsylvania rail-way; leaving 9,723,400 33 dollars expended and to be expended, in the construction and completion of 428½ miles of the Pennsylvania canal, including the expenses of the board of canal commissioners, and the daily pay and salaries of the acting commissioners, superintendents, engineers, and other agents.

The cost of this immense public work, will be found, upon comparison, not to exceed in any material respect, the cost of similar works in this country, and although it presents a formidable sum, when viewed separately from the beneficial effects it is calculated to have upon the value of land, the trade, the industry, and the enterprize of the citizens of the commonwealth; yet, when viewed in connexion with those great and enduring benefits, policy & the best interests of the state, pronounce it a necessary and judicious expenditure. Regarded only as an investment of funds, it presents satisfactory inducements to the most eager lover of gain.

When the connexion between the eastern and western waters shall have been completed, Pennsylvania will present to the trade of the western country, an avenue to the Atlantic coast, equal, if not superior, to any which has been, or can be constructed; besides, her own manufactures and agricultural products, which will seek a market through the canal, are equal in amount to those of any other state, independently of her coal, iron, salt and lumber, which in tonnage must exceed all other articles transported to market.

The Erie canal, extending from Albany to Buffalo, 363 miles, yielded toll in the year 1828, to an amount upwards of 2,000 dollars per mile. Now, if the New-York canal, before its advantages can be said to be fully developed, yielded in one season upwards of 2,000 dollars per mile, what will be the amount of toll upon the Pennsylvania canal, where, in addition to all the tonnage which can seek a market in the state of New-York, we have iron to an immense amount, and coal, which alone, surpasses all calculation?

But the advantages of this great public work, are not to be measured by the interest it will yield upon the money expended; it adds an intrinsic and permanent value to the commonwealth, independently of the profits arising from tolls. Facts existing in our own state, abundantly prove, that the additional value of the territory bordering upon canals, more than equals the whole amount expended in their construction. It is believed, and the belief rests upon practical results, that the owners of the soil in Schuylkill county, before the canal to Philadelphia was made, would have advanced their private interest by making the improvement at their own expense; the additional value to their lands arising from the canal, would have exceeded in amount the whole cost. If we apply such facts to the Pennsylvania canal when extended through the inexhaustible anthracite coal fields of the North Branch; the iron and bituminous coal region of the Juniata and West Branch, to the Pennsylvania salt works, and affording facilities for the transportation to Philadelphia, of the immense coal tonnage of the Lehigh and other branches of the Delaware, and opening avenues for the commerce of the rich valleys of the Ohio, the Mississippi, and the extensive regions bordering upon the lakes of the north and north west, independently of the manufactures and agricultural products which every where surround this improvement, the certain result, while it must flatter the pride, will multiply the wealth, strengthen the physical force and increase the moral influence of the state.

With these views in relation to the subject, the board can have no hesitation in recommending the vigorous prosecution of the great system of improvement, as heretofore marked out by the Legislature; a system perhaps as perfect as could be projected, to develop and bring into activity the resources of the state, and to unite every section of this great commonwealth in one common bond of interest and of feeling.

The sums appropriated for canal & rail road purposes, have been expended upon the several divisions, as follows:—

From Pittsburg to Johnstown, 104 miles, including 5,242 dollars 39½ cents paid for damages, \$2,036,264 61

From the mouth of the Juniata to Smith's mills above Huntingdon, 90 miles, including 6,729 dolls. 25 cts. paid for damages, 1,130,477 81

From Middletown to Muncy hills, upon the West Branch of the Susquehanna river, and including ten miles placed under contract, between Middletown & Columbia, 100 miles, including 22,500 dolls. 25 cts. paid for damages, 1,944,302 18

This includes that portion of the Pennsylvania canal which is now comprised in the eastern division, and the Susquehanna and west branch division; Mr. Mowry having had under his care at one period, the eastern & Susquehanna divisions, the expenditures were blended.

From Bristol to Easton, 60 miles, including 6,526 82 dolls. paid for damages, 476,338 92

From Northumberland up the north branch of the river Susquehanna, to Nanticoke falls, 55 miles, including 2,464 07 dolls. paid for damages, 425,265 53

From Bemus' mill on French creek, to

Muddy run, 19½ miles, including 3,800 62 paid for damages, 209,603 72

Pennsylvania rail way, the road formation of forty miles having been placed under contract, including \$69 29 paid for damages, 50,000 00

The late board paid under the act of 24th March, 1828, for surveys and explorations, 19,757 23

The present board received on account, 2,000 00

The commissioners of the internal improvement fund have paid engineering expenses, &c. to the amount of 5,990 dollars, which sum was refunded out of the canal fund, 5,990 00

\$6,300,000 00

To which sum must be added, the late loans made by the Governor, expended as follows:

Upon the Pennsylvania rail road, 45,000  
Juniata division, 25,000  
North Branch division, 10,000  
Susquehanna division, 20,000  
French creek feeder, 6,000

\$106,000

The amount due for work done upon the several divisions under contract, and the estimated cost of work yet to be done, are according to the reports of the acting commissioners and engineers, as follow:

*Western Division:*  
Debts due, 114,737 26  
Amount of certificates issued, 140,340 99  
Estimated cost of work to be done, 351,280 91

*Juniata Division:*  
Debts due 148,664 66  
Amount of certificates issued 241,368 61  
Estimated cost of work to be done 693,582 55

*Eastern, Susquehanna and West Branch Divisions:*  
Debts due 144,122 51  
Amount of certificates issued 150,363 88  
Estimated cost of work to be done 296,301 13

*Delaware Division:*  
Debts due 40,676 93  
Amount of certificates issued 141,353 11  
Estimated cost of work to be done 335,576 25

*North Branch Division:*  
Debts due 62,450 29  
Amount of certificates issued 167,000 00  
Estimated cost of work to be done, 225,855 00

*French Creek Feeder:*  
Debts due 26,260 00  
Estimated cost of work to be done 45,000 00

*Pennsylvania Rail-way:*  
Debts due 16,468 38  
Amount of certificates issued 4,964 05  
Estimated cost of work to be done upon the forty miles road formation under contract 113,146 55½

From this review and estimate, it appears that there is now due upon the several divisions of the Pennsylvania canal under contract, the sum of \$1,399,790 67, for \$845,410 64 of which certificates have been issued. That the amount of work to be done upon the several divisions of the canal and rail road, now under contract and in progress of completion, as estimated by the principal engineers, is \$2,060,742 39½. The nature of these demands upon the commonwealth, requires that they should be promptly liquidated. A moments reflection will show that unrewarded labour, to so large an amount as is now due, brings upon the enterprising contractor inevitable

ruin, and deprives, particularly at this season of the year, a valuable portion of the community of their only means of subsistence.

Owing to the delays and interruptions incident to a work of this magnitude, the finished portions of the canal were not prepared for navigation until late in the season; by letting in the water the work was tested, and the weak points were ascertained; the work generally has fully answered the expectations of the board. Repairs in many instances have been made, and every precaution has been taken by the respective acting commissioners and superintendents, to guard against accidents, and secure the permanency and usefulness of the canal. Small sums have been received as toll upon the western and eastern divisions. The navigation has hitherto been more a matter of experiment than a regular business, but it has confirmed the opinion entertained of the ultimate value and utility of this great public work. It is believed the amount of tolls which will be received within the ensuing year, on the divisions of the canal now navigable, may be fairly estimated as follows:

|   |          |
|---|----------|
| On the Western division,  | \$30,000 |
| Juniata division,   | 13,000   |
| Eastern division,   | 10,000   |
| Susquehanna division, including the<br>bridge at Duncan's Island, | 12,000   |
|   | \$65,000 |

It is obvious, that an immense increase must ensue from the completion of other lines connecting the improvements, and from new channels of trade being established.

The powers which the canal commissioners now possess, are limited to a general superintendency, management and direction, in the location and construction of canals and rail roads; the appointment of officers and agents for that purpose, and the adjustment of claims for damages, &c. and when any part of the Pennsylvania canal shall be finished and in a state of navigation, they may appoint collectors of tolls and fix their location, and order and direct the rates of toll. It will be apparent, that with such limited powers, it is impossible for the board to adopt any code of rules and regulations applicable to the complicated and various transactions connected with the navigation of the canal and the collection of tolls. A rule or regulation which cannot be enforced is worse than useless. The board have no power to enforce any regulation by penal sanctions.

Near 290 miles of the canal will be navigable at the commencement of the next season, and the greatest part of that contracted for, will be navigable during the next summer, if means are provided to carry on the work. Hence the legislature will perceive the necessity of adopting a system of regulations and penalties, concerning the navigation of the canal and the collection of toll; the views of the board upon this subject are expressed in a system of rules accompanying this report.

The provisions in relation to damages, require legislative revision. As the law now stands, the feelings and prejudices of the country through which the improvements pass, too often constitute the only standard by which damages are measured, a standard uncertain and unequal, as it relates to individuals concerned, and frequently unjust as it regards the commonwealth. It is respectfully recommended to the legislature, to provide for the appointment of appraisers by the executive, who shall receive and decide upon all applications for damages done to real property, in consequence of the construction of the Pennsylvania canal or rail-road, and who shall in their estimate, take into consideration the advantages and disadvantages of such improvements to the whole real estate of the individual claiming damages, wherever situated, with the right of appealing to either party to the supreme or circuit court.

Upon nearly all the divisions of canal, it is believed

there is at various points, and particularly at and near the feeder dams, a very large amount of surplus water, which might be advantageously applied to hydraulic purposes: as no adequate provision has been made for the sale of such surplus water, and as it is believed that a very considerable revenue may be annually derived from this source, the expediency and propriety of making provision for the sale of hydraulic privileges, is most respectfully suggested.

The present canal commissioners met, in pursuance of the act by which they were appointed, on the first day of June, 1829. David Scott was appointed president, and Francis R. Shunk, secretary.

For the measures adopted by the board upon its organization, in the appointment of acting commissioners and superintendents, upon the several divisions of the canal and rail-road, the appointment of principal engineers, and the arrangement of their different corps, and the fixing the compensation of the various officers, agents and persons employed in the service of the state, reference is made to the journal of the board which accompanies this report, as required by law.

The balance of appropriation for canal and rail-road purposes, made by the legislature, at the last session, and not expended by the late board, was found to be \$1,407,704 30, which sum was received by the present board and its agents, during the past season, in the following proportions.

|  |              |
|--|--------------|
| James S. Stevenson, upon the Western division,       | \$214,305 99 |
| James Clarke, Juniata division,                      | 305,336 40   |
| John Forrey, Jr. Eastern division,                   | 163,282 32   |
| John Ryon, Jr. Susquehanna and West Branch division, | 232,175 14   |
| Thomas G. Kennedy, Delaware division,                | 206,338 92   |
| John Mitchell, North Branch division,                | 189,265 53   |
| William Dickson, French Creek feeder,                | 45,000 00    |
| John Barber, Pennsylvania rail way,                  | 50,000 00    |
| The board of canal commissioners,                    | 2,000 00     |
|  | 1,407,704 30 |

As a material portion of this sum was applied to the payment of debts then due, the balance was found to be entirely insufficient to enable the board to meet the expectations of the legislature, in prosecuting the public works during the season, as required by the provisions of the act of the 23d of April last.

On the fifth of July, the president of the board received a communication from Messrs. Blythe and Mahon, members of the board of internal improvement, informing him that the board had no funds at their disposal, for canal and rail road purposes, and that demands to a considerable amount had been presented by the acting canal commissioners and superintendents, which had not been met, for want of funds. In pursuance of this information, the president convened the board of canal commissioners on the 23d of July. As temporary loans had been obtained to meet the demands upon the treasury, prior to the meeting, and as the board then had reason to believe that no material embarrassment in the prosecution of the public works would be experienced, whilst any portion of the sum appropriated for that purpose remained unexpended, they urged the several acting commissioners & superintendents to employ such funds as would secure the most exposed portions of the public works, and bring early into operation the divisions of canal which were nearly completed.

At a meeting in October, it was found that the funds appropriated for canal and rail road purposes, had for some time, been insufficient to meet the sums due monthly by the commonwealth, to contractors, and that the acting commissioners and superintendents were under the necessity of granting certificates to such contractors, as evidence of the amount due to them respectively. At this trying period, the board anxiously solicitous to preserve the public works, to save the meritorious contrac-

tors from inevitable ruin, & to promote the best interests of the commonwealth, recommended to the respective acting commissioners and superintendents, to prosecute the works upon their respective lines, without remission, and to continue until the meeting of the legislature, on the first Tuesday in December, to make the usual monthly estimates, and to give to each contractor, or person entitled to receive payment, a certificate of the amount due such person. The certificates, a form of which was prescribed, to be signed by the acting commissioners and superintendents, and countersigned by the clerks upon the respective divisions. These measures had a tendency to lessen the evil consequent upon a deficiency of funds, and have enabled the board to continue the prosecution of the public works, up to the present period, without any material remission. For the redemption of these certificates, at the earliest possible moment, the most confident reliance is placed upon the justice of the legislature, in providing the requisite means; and as no acting commissioner or superintendent, can, under the existing laws, draw from the treasury more than 50,000 dollars at any one time, it is respectfully submitted, whether the interests of all concerned, will not require additional facilities for the prompt redemption of such certificates, upon the different divisions, whenever the necessary funds shall be provided.

As some of the divisions of the canal are so situated as to require immediate funds for the preservation of the works, and for guarding against the disastrous consequences of the frost and floods of the approaching season, and as there was reason to believe that sums adequate to the emergency, might be obtained from monied institutions or individuals friendly to the internal improvement of the state, on condition that the same should be expended upon divisions designated, the constituted authorities were requested by the board to negotiate such loans, to a limited amount. The Governor accordingly obtained the sum of 106,000 dollars, which was distributed as has been stated in another part of this report.

The portage rail road across the Allegheny mountain, was included by the board, in the superintendency of the western division, and Moncure Robison, who had been appointed the engineer in December last, was continued by the present board, for the purpose of completing his examinations and estimates upon this important public work. His report is herewith submitted. It will be seen that Mr. Robison proposes passing the summit by a tunnel of one mile in length, and overcoming the elevation by five lifts, and five levels on each side. The portage, according to this location, is 38 miles and 51 poles in length, and its complete execution upon his plan is estimated at \$936,004 87.

The best means of effecting this connexion between the eastern and western waters, is a subject of great magnitude; for, independently of other considerations, upon it depends the successful competition of the Pennsylvania canal with other avenues, for the trade of the western states to the Atlantic. The board in employing Mr. Robison upon this work, secured the services of an engineer of the first order. They required from him every kind of information necessary to a judicious selection of the best means of effecting this connexion. His report justifies the high opinion which was entertained of his talents and professional skill, and gives clear and comprehensive views of the subject.

At the meeting of the board in July, Maj. D. B. Douglas, who is known in this commonwealth as a highly respectable engineer, was appointed to make the surveys and estimates of the eastern termination of the Pennsylvania rail-road, required by a resolution of the legislature of the 20th April last. His report and estimates upon the various routes, accompany this report. From all the facts laid before the board, they are of the opinion, that it is not the interest of the state now to construct more than one line of rail road from the inclined plane, near the farm of the late Judge Peters, and they recommend the extension of the line from that point down the west-

ern side of the river Schuylkill, to a point near Fairmount thence across the said river and down its eastern side to sloop navigation, between Market and Chesnut streets, the road to be continued on the line and levels surveyed by Major Douglas, and projected in his report.

The canal commissioners were authorized, if they should deem it expedient, by a resolution of the legislature, adopted on the 23d of April last, to construct a road adjoining the 88th and 89th sections of the Pennsylvania canal, in Hemlock township, Columbia county; provided the cost should not exceed five hundred dollars, and provided that no part of said sum should be expended until the citizens of the said county should give satisfactory security for the completion of the said road, through 87 and part of section 86.

In pursuance of this resolution, the board directed the engineer upon the North Branch division, to make an estimate of the cost of the road adjoining the 88th and 89th sections. The estimate was made, and amounted to \$5,526; a proposition however was received by the acting commissioners from a contractor, for making the road for the sum of \$4,850. As neither came within the limits prescribed in the resolution, the board took no further orders on the subject.

By the 2d section of the act of the 16th of April, 1829, relative to the appointment of canal commissioners, the board is required to appoint an engineer-in-chief of the commonwealth and superintendent of the surveys.

This important duty engaged the early attention of the board, at their first meeting. The difficulty of making a judicious selection at this period of the progress of the public works, and the dangerous consequences of making an injudicious one, are obvious. In addition to the great experience and professional skill for which this officer should be distinguished, he must have the faculty of drawing to himself powers which have been hitherto exercised by the principal engineers upon their respective divisions, without disturbing the harmony of the system; of making an innovation upon settled rules, without producing confusion.

For the purpose of obtaining the necessary information in order to proceed to a choice, the board directed the president to communicate upon the subject, with such persons as he might deem proper, and report the result of his correspondence. Two reports have been made by the president, in pursuance of this direction, but the information received has not yet enabled the board to make a selection.

By the second section of the act of the 22d April, 1829, it is made the duty of the canal commissioners to locate the route of a suitable navigation, either by canal, or by canal and slack water, between the city of Pittsburgh, or the mouth of the Kiskeminetas, and the borough of Erie, within the present year. With a view to this location, the board, at their meeting in June, directed James Ferguson and Moncure Robison, two of the principal engineers in the employment of the board, to explore and select the best summit, for a connexion of the waters of the Conneaut lake and those of lake Erie. Owing to the engagements of Mr. Robison, upon the rail-road across the Allegheny mountain, he was afterwards excused from the performance of this duty; and the explorations were made by Mr. Ferguson, who made report to the board in October. At the same time, petitions were presented from a very respectable number of citizens, residing in the counties bordering on the waters of the Allegheny river and French creek, stating that the questions arising out of the conflicting claims of the Allegheny & French creek, and Beaver and Shenango routes, involved important interests, as well as the constitutional rights of the petitioners, should a location be made by which the waters of French creek would be diverted from their natural course. They prayed for the postponement of the location until after the next meeting of the legislature, for the purpose of having an opportunity to ascertain important facts, necessary to insure a decision in favour of the Allegheny and French creek route. The board, up-

on considering the subject, directed a committee to examine all the documents in relation to the subject, and to report their views of the most eligible route, at the meeting in December.

This course was deemed the best, as a decision upon the subject might still be made within the period limited by the said act of Assembly. At the present meeting of the board, the committee made their report, in which a decided preference is given to the route from Pittsburgh by the Beaver, Shenango, Conneaut lake, Elk and Walnut creeks, to Erie, to any other which has yet been examined. In this opinion of the committee, the board concurred; but as a location could not be made without the consent of an engineer, and the approbation of the Governor; as no engineer in the employment of the state had charge of this line, and as the board did not possess the information necessary to a precise location, by a definite line, they could proceed no further, from the information in their possession, than merely to designate the route to be preferred. The employment of an engineer and his necessary assistants, to make such examinations as would enable the board to make a definite location, would have been attended with considerable expense, which it was thought not prudent or expedient to incur, whilst the funds appropriated by the legislature were found to be entirely inadequate to meet the demands of other and more urgent objects. When provision shall have been made for the commencement of this improvement, the precise location of the line will occasion very little delay.

Signed by order of the board,

DAVID SCOTT, *President*.

Attest—FRANCIS R. SHUNK, *Sec'y*.

Canal Commissioners' Office, Harrisburg, }  
December 18, 1829.

Letter from the gentleman who furnished the extracts from "Provincial Correspondence," published in our last.

In your Register, which I saw last evening, I observed the publication of the Provincial Letters, &c. and only one mistake: in the name of the celebrated Capt. Jack, and not Joel. Jack's Mountain, or one of them, as there are two of that name, I suppose was called in compliment to him.

The following is a copy of a letter in June, 1755, to the Governor of the Province.

Fort Louthier, June 6, 1755.

"SIR—Captain Jack has promised his aid in the contemplated attack of Fort Du Quesne. He will march with his *Hunters*, by a circuitous route and join Brad-dock. He and his men are dressed in hunting shirts, moccasins, &c. are well armed, and are equally regardless of heat and cold. They require no shelter for the night. They ask no pay. If the whole army was composed of such men, there would be no cause for apprehension. I shall be with them in time for duty.

Yours, &c. GEORGE CROGHAN."

I now forward to you some "extracts," which I hope will prove worthy of insertion.

The notice of the 'Black Rifle,' will, I trust, elicit from some person in the interior some interesting anecdotes. From the name it would appear as if he was regarded as a *Robber*, but from all the information I can obtain, it was foreign from his character. He acted as a spy upon the Indians, and constantly followed their steps, and gave notice of any approach towards the settlements of danger. In some of the records he is called "a half Indian." See an account of an Indian force being compelled to retreat from Juniata by a number of the white inhabitants under the command of "a noted half Indian." In the office of the Secretary of the Commonwealth. It will also appear that he sometimes commanded Captain Jack's company:

"The company under the command of the 'half Indian,' having left Great Cove, the Indians took advantage and fell upon the inhabitants and murdered many."

The above is an extract from a letter to the Governor from Col. Armstrong.

Again—"The half Indian or Black Hunter, by the terror of his name, gives security to the settlers on the Conogochague." Extract from a letter in 1756, signed John Butler, to the Governor of the Province.

The above may throw some additional light on the characters of men now involved in some degree in obscurity. Any person who has in his possession the means of information, could not do a better thing than give a sketch of the Life of Captain Jack, or the adventures of the 'Half Indian,' as they were intimately connected with the most interesting events which took place in our Province.

#### *Appointment by the Governor.*

Gen. SAMUEL M'KEAN, of Bradford county, has been appointed by Gov. Wolf, Secretary of the Commonwealth.

*Auction Duties.*—The following is the amount of duties paid by the Auctioneers of this city, on the 19th inst. for the last quarter, comprising the months of September, October and November.

|                   |         |             |
|-------------------|---------|-------------|
| R. F. Allen,      | - - - - | \$10,691 07 |
| S. C. Ford,       | - - - - | 6,602 08    |
| J. Jennings,      | - - - - | 6,296 97    |
| M. Gillingham,    | - - - - | 5,124 98    |
| P. Graham,        | - - - - | 3,340 63    |
| S. W. Lippincott, | - - - - | 3,170 19    |
| G. W. Richards,   | - - - - | 1,845 39    |
| *Freeman,         | - - - - | 571 21      |

\$37,644 52

\* The principal sales made by T. B. Freeman, are not dutiable.

Harrisburg, Dec. 19.

The election for directors on the part of the state, in the Bank of Pennsylvania, the Philadelphia Bank, and the Columbia Bridge Company, took place in the Senate this morning.—The following is the result:

For the Pennsylvania Bank.

|                     |    |                   |    |
|---------------------|----|-------------------|----|
| William J. Leiper,* | 25 | John T. Sullivan, | 12 |
| Abraham Okie,*      | 16 | Edward Coleman,   | 5  |
| Henry Horn,*        | 16 | Mathew Carey,     | 2  |
| Daniel Groves,      | 14 |                   |    |

For the Philadelphia Bank.

|                      |    |             |    |
|----------------------|----|-------------|----|
| Robert Patterson,*   | 28 | Lewis Ryan, | 14 |
| Samuel Heintzelman,* | 17 |             |    |

For the Columbia Bridge Company.

|                 |    |  |  |
|-----------------|----|--|--|
| John Kauffelt,* | 28 |  |  |
|-----------------|----|--|--|

The gentleman whose names are marked thus \* are elected.

*Installation.*—On Thursday, Dec. 17, the Rev. THOMAS McAULEY, D.D. LL. D. late of New York, was installed as pastor of the new Presbyterian Church, in this city, at the corner of Walnut and Twelfth streets. The sermon on the occasion was delivered by the Rev. Samuel B. How, the charge by Dr. Janeway, and the installation service by Dr. Green.

Governor Wolf, on the 15th inst. issued a proclamation, confirming and continuing all appointments made, and all commissions heretofore lawfully issued for the term of six months from that period, unless the same appointments and commissions shall be sooner suspended and annulled.

☞ Index next week.

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